



Draft Supplement to the

# **Capitol Park Safety and Security Improvements Project EIR**

(SCH NO. 97102015)

February 2004

Prepared for:

State of California

Department of General Services

Prepared by:

EIP Associates

**DRAFT SUPPLEMENT TO THE  
CAPITOL PARK SAFETY AND  
SECURITY IMPROVEMENTS PROJECT EIR  
(SCH#97102015)**

Prepared for:

State of California Department of General Services

Prepared by:

EIP Associates

February 2004

---

---

## ***TABLE OF CONTENTS***

---

---

---

---

## **TABLE OF CONTENTS**

---

---

| <u>Chapter</u>  | <u>Page</u> |
|---|-------------|
| 1. INTRODUCTION.....                                      | 1-1         |
| 2. SUMMARY .....  | 2-1         |
| 3. PROJECT DESCRIPTION .....                              | 3-1         |
| 4. ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES |             |
| 4.1 Introduction to the Analysis .....                    | 4.1-1       |
| 4.2 Historic Resources.....                               | 4.2-1       |
| 4.3 Aesthetics and Visual Resources .....                 | 4.3-1       |
| 5. ALTERNATIVES.....                                      | 5-1         |
| 6. CEQA CONSIDERATIONS.....                               | 6-1         |
| 7. EIR AUTHORS AND REFERENCES.....                        | 7-1         |

### APPENDICES

- A. Notice of Preparation
- B. Comments Received on the NOP
- C. Carey & Company, Inc. Historic Report

---

---

***LIST OF TABLES***

---

---

| <u>Table</u>   | <u>Page</u> |
|--|-------------|
| 2-1     Summary of Impacts and Mitigation Measures ..... | 2-5         |

---



---

## ***LIST OF FIGURES***

---



---

| <u>Figure</u>  | <u>Page</u> |
|--|-------------|
| 1-1 Schematic Design Elements from 1997 EIR .....  | 1-2         |
| 3-1 Regional Location.....   | 3-3         |
| 3-2 Project Location .....   | 3-4         |
| 3-3 Overall Site Plan.....   | 3-6         |
| 3-4 Hydraulic Bollards at Raised Planter (6 locations).....  | 3-8         |
| 3-5 Bench Seating (East side of Capitol Building – Park Area) .....  | 3-10        |
| 3-6 Bench Seating (Along 10 <sup>th</sup> Street).....   | 3-11        |
| 3-7 Bench Seating (Along L Street and N Street).....   | 3-12        |
| 3-8 Exterior Elevation (North and South Entrance).....   | 3-13        |
| 4.3-1 Key Map.....   | 4.3-6       |
| 4.3-2 Existing Conditions: Looking north towards the State Capitol from 11 <sup>th</sup> and N Streets   | 4.3-7       |
| 4.3-3 Existing Conditions: Looking south towards the State Capitol from 11 <sup>th</sup> and L Streets   | 4.3-7       |
| 4.3-4 Existing Conditions: Looking southeast towards the north entrance to the<br>Capitol/Annex Building.....                                  | 4.3-8       |
| 4.3-5 Existing Conditions: Looking east towards the north entrance to the<br>Capitol/Annex Building.....                                       | 4.3-8       |
| 4.3-6 Existing Conditions: Looking east towards the south entrance to the<br>Capitol/Annex Building.....                                       | 4.3-9       |
| 4.3-7 Existing Conditions: Looking north towards the south entrance to the<br>Capitol/Annex Building.....                                      | 4.3-9       |
| 4.3-8 Existing Conditions: Looking east towards the State Capitol from Capitol Mall<br>and 10 <sup>th</sup> Street.....                        | 4.3-10      |
| 4.3-9 Existing Conditions: Looking east near 11 <sup>th</sup> and L Streets.....   | 4.3-10      |
| 4.3-10 Existing Conditions: Looking northwest along 10 <sup>th</sup> Street towards Capitol Mall.....  | 4.3-11      |
| 4.3-11 Existing Conditions: Looking southwest towards 11 <sup>th</sup> and N Streets from<br>Capitol Park .....                                | 4.3-11      |
| 4.3-12 Photosimulation of proposed planters and bollards: Looking north towards the<br>State Capitol from 11 <sup>th</sup> and N Streets ..... | 4.3-16      |
| 4.3-13 Photosimulation of proposed planters and bollards: Looking south towards the<br>State Capitol from 11 <sup>th</sup> and L Streets.....  | 4.3-17      |
| 4.3-14 Photosimulation of proposed visitor pavilion: Looking southeast towards the<br>north entrance to the Capitol/Annex Building .....       | 4.3-18      |
| 4.3-15 Photosimulation of proposed visitor pavilion: Looking east towards the<br>north entrance to the Capitol/Annex Building .....            | 4.3-19      |

|        |   |        |
|--------|---|--------|
| 4.3-16 | Photosimulation of proposed visitor pavilion: Looking east towards the south entrance to the Capitol/Annex Building.....  | 4.3-20 |
| 4.3-17 | Photosimulation of proposed visitor pavilion: Looking north towards the south entrance to the Capitol/Annex Building.....   | 4.3-21 |
| 4.3-18 | Photosimulation of proposed planters, bollards, and vehicle arresting cables hidden in new vegetation: Looking east towards the State Capitol from Capitol Mall and 10 <sup>th</sup> Street ..... | 4.3-22 |
| 4.3-19 | Photosimulation of proposed benches and bollards: Looking east near 11 <sup>th</sup> and L Streets.....   | 4.3-23 |
| 4.3-20 | Photosimulation of proposed benches, bollards, planters, and vehicle arresting cables hidden in new vegetation: Looking northwest along 10 <sup>th</sup> Street towards Capitol Mall.....         | 4.3-24 |
| 4.3-21 | Photosimulation of proposed benches, bollards, planters, and vehicle arresting cables hidden in new vegetation: Looking southwest towards 11 <sup>th</sup> and N Streets from Capitol Park.....   | 4.3-25 |

---

---

## ***1. INTRODUCTION***

---

---



---

## **1.0 INTRODUCTION**

---

### **BACKGROUND AND PURPOSE**

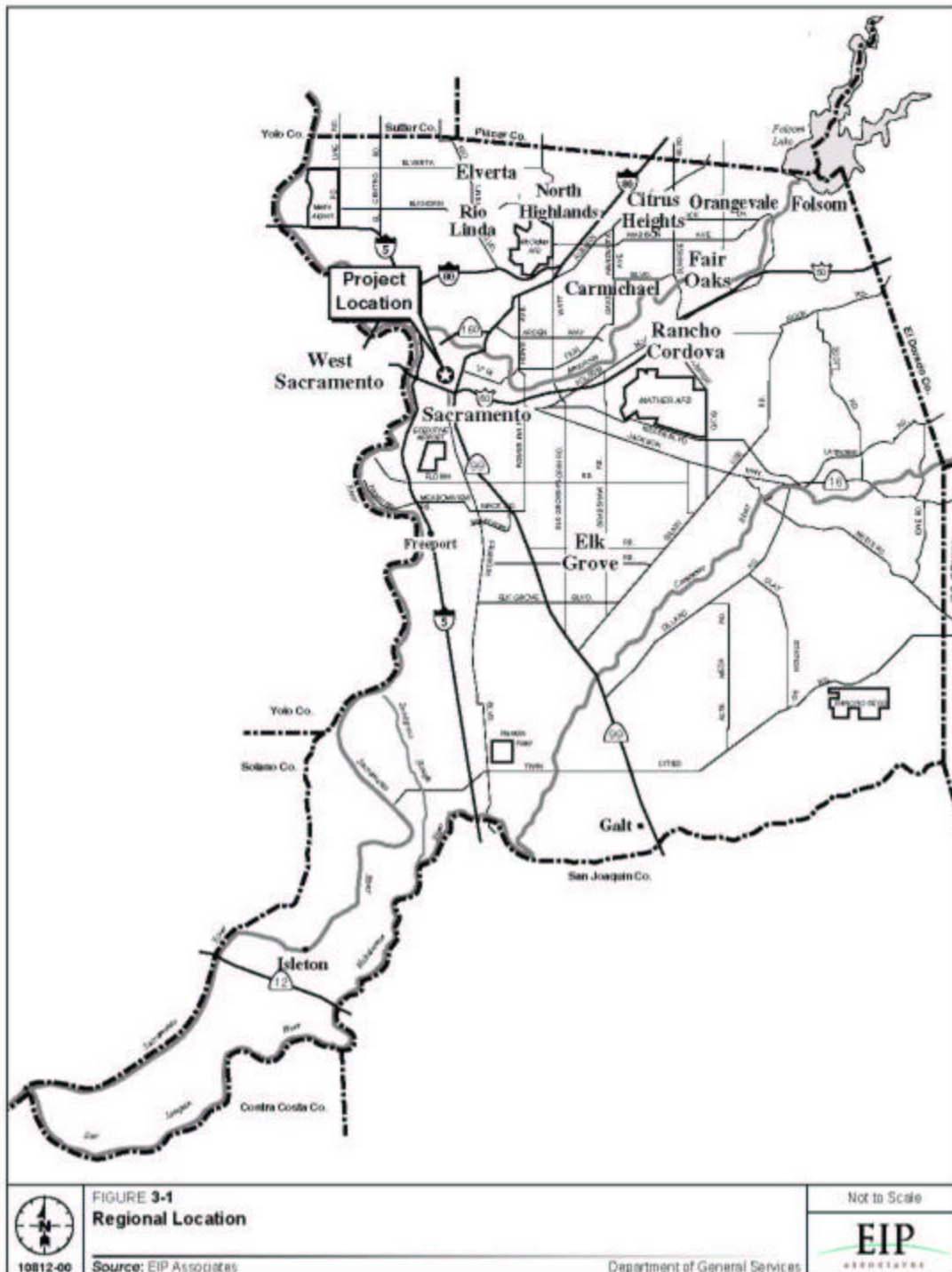
In March of 1996, the State, consulting with federal security officials, made recommendations regarding security and safety improvements to the State Capitol. These recommendations included improvements to Capitol Park to protect the historic building and site, public visitors, and State employees working in or visiting the Capitol.

Based on these recommendations, conceptual design studies were first prepared in the spring of 1997. Several approaches to providing vehicle barriers around Capitol Park as well as a reconfiguration of the driveways into the underground parking garages were developed. After the conceptual designs were presented to the Capitol Security Policy Committee, which consisted of representatives from the Governor's Office, Lieutenant Governor's Office, Assembly Rules, Senate Rules, and the California Highway Patrol, the Committee agreed that the conceptual designs should be further refined to be more consistent with the historic setting. This refinement process resulted in three design options that each included modern interpretations of the historic fence (that once surrounded the Capitol building) and bollards. Subsequently, one of these design options was selected as the preferred Capitol Park Security and Safety Improvements Project and analyzed in the *Capitol Park Safety and Security Improvements Project Draft Environmental Impact Report* (SCH# 97102015), referred to as the 1997 EIR for the purposes of this Draft Supplement. The EIR was certified in 1997 and the project approved by the California Highway Patrol, lead agency for the purposes of the CEQA compliance. The reconfiguration of the driveways into the underground parking garages was completed; however, the security fence that was selected and analyzed was never constructed.

The 1997 EIR analyzed a proposed historic fence that would replicate the fence that was removed in 1952. Figure 1-1 depicts the various elements that were proposed as part of the historic fence. The fence was located in essentially the same location as the current project with the exception of the eastern boundary. The large gateposts were proposed at all the major pedestrian access points including 10th/N Street, 10th/L Street, 11th/L Street, 11th/N Street, and the west entrance off 10th Street. The proposed perimeter fence was proposed to encircle the Capitol Building going as far east as 13th Street. Concrete bollards were proposed between each of the pedestrian access points. A more detailed description of the prior project is included in the 1997 EIR available for review at the Department of General Services, Real Estate Services Division, Environmental Services Section, 3rd floor, 707 Third Street, Suite 3-400, West Sacramento, CA 95798-9052.

Due to an increased awareness and need for local and national security, the Capitol Park vehicle barrier concept has been revisited; modifications to the plans are being reviewed. The proposed perimeter vehicle barrier has been reduced from its original dimensions, and now a combination of landscape elements (bollards and landscape planters, benches, etc.) are being proposed. In addition, two permanent structures (visitor pavilions) are proposed to serve as security checkpoints for the

Figure 1-1



north and south entrances into the Capitol Building. This document supplements the 1997 EIR to evaluate the proposed new vehicle barrier and visitor pavilion structures (Proposed Project).

Consistent with the CEQA Guidelines, § 15163, a subsequent EIR is not required because only minor modifications to the Capitol Park Safety and Security Improvements project are proposed, and no new impacts have been identified.

## **SCOPE OF THE DRAFT SUPPLEMENT**

This Draft Supplement evaluates the physical effects of constructing a new vehicle barrier around the Capitol building and constructing two visitor pavilions. The Draft Supplement updates the Capitol Park Safety and Security Improvements Project, certified in 1997, which analyzed constructing a historic vehicle barrier around the Capitol building and a portion of Capitol Park, along with other improvements that have subsequently been constructed. The 1997 EIR analyzed land use and recreation, traffic and circulation, cultural and historic resources, aesthetics and visual resources and public utility systems. The focus of this Supplement is on the historic (including any subsurface archeological resources) and visual resources that could be affected by this new vehicle barrier and visitor pavilions. The evaluation of these effects is presented on a resource-by-resource basis in Chapter 4.0, Environmental Setting, Impacts and Mitigation Measures, in Sections 4.2 and 4.3. Each section is divided into three parts: Environmental Setting, Regulatory Setting, and Impacts and Mitigation Measures. In addition to these discussions in each section, those impacts that cannot be mitigated to a level that is less than significant (and are therefore considered significant unavoidable adverse impacts) are discussed separately in Chapter 6.0, CEQA Considerations.

A Notice of Preparation (NOP)(see Appendix A) was prepared for the Draft Supplement and distributed for the 30-day public review on June 27 through July 28, 2003. In addition, a public meeting was held on July 16, 2003. Copies of the NOP and comment letters received are included in Appendices A and B. Due to the nature of the project, it was determined that either a less-than-significant impact or no impact would occur in all the checklist items with the possible exception of historic and visual resources. Therefore, this Draft Supplement will evaluate potential impacts to historic and visual resources. The 1997 EIR as well as this Draft Supplement and all documents referenced therein are available for public review during normal business hours (Monday - Friday 8:00 am to 4:30 pm) at:

Department of General Services, Real Estate Services Division  
Environmental Services Section, 3rd Floor  
707 Third Street, Suite 3-400  
West Sacramento, CA 95798-9052

Documents are also available for review at the Sacramento City public library:  
828 I Street  
Sacramento, CA 95814

On the following days/times:

|                                  |               |
|----------------------------------|---------------|
| Monday and Friday                | 10 am to 6 pm |
| Tuesday, Wednesday, and Thursday | 10 am to 9 pm |
| Saturday                         | 10 am to 5 pm |
| Sunday                           | Noon to 5 pm  |

Other CEQA-related issues, such as cumulative impacts and growth resulting from implementation of the Proposed Project are analyzed in Chapter 6.0. In addition, the Draft Supplement analyzes two project alternatives, including a No Project Alternative and a Modified Historic Alternative. The alternatives analyzed in the 1997 EIR are incorporated by reference in this Draft Supplement. Project alternatives are discussed in Chapter 5.0, Alternatives.

## **CEQA PROCESS**

As provided in the CEQA Guidelines (§ 15021), public agencies are charged with the duty to avoid or minimize significant environmental damage where feasible. In discharging this duty, the public agency has an obligation to balance a variety of public objectives, including economic, environmental and social issues. This Draft Supplement is an informational document, the purpose of which is to inform agency decision-makers and the general public of the significant environmental effects of a proposed project. The lead agency, in this case the Department of General Services (DGS), is required to consider the information in this Draft Supplement, the 1997 EIR, and any other available information in making its decision.

The DGS has chosen to proceed with a Supplement to disclose significant information about the project and to afford the public with ample opportunity to comment on the environmental effects of the proposed new vehicle barrier and visitor pavilions. This Draft Supplement will focus on any potential new significant impacts and/or increases in severity of impacts previously identified in the 1997 EIR.

## **Environmental Review Process**

This Draft Supplement was issued on February 10, 2004 for a 45-day period of public review and comment by agencies and other interested parties and organizations. The public review period concludes on March 25, 2004. Copies of the Draft Supplement are available for public review at the DGS and at the Sacramento City Public library. A public workshop is scheduled for Tuesday, March 16, 2004 from 5:00 to 6:00 p.m. at 1416 9<sup>th</sup> Street, Auditorium, 1<sup>st</sup> Floor, Sacramento, CA 95814. Please see pages 1-3 for specific addresses and times.

All comments or questions about the Draft Supplement should be addressed to:

Lynne Rodrian  
 Department of General Services  
 Real Estate Services Division  
 Project Management Branch  
 P.O. Box 989052  
 West Sacramento, CA 95798-9052  
 (916) 376-1609  
 Fax (916) 376-1606

Following public and agency review, a Final Supplement will be prepared in response to written comments received during the public review period. The Final Supplement will be available for public review prior to its consideration by the DGS. This decision-making body will review and

consider the Final Supplement prior to its decision to approve, revise, or reject the Proposed Project.

## **LEVELS OF SIGNIFICANCE**

The CEQA Guidelines define a significant effect on the environment as “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance” (CEQA Guidelines, §15382). Definitions of significance vary with the physical conditions affected, and the setting in which the change occurs. The CEQA Guidelines set forth physical impacts that trigger the requirement to make “mandatory findings of significance” (CEQA Guidelines, §15065).

For all environmental issues, specific standards of significance are identified. Where the “substantial” effect of an impact is not so identified in the CEQA Guidelines, criteria for evaluating the significance of potential impacts were identified. Where explicit quantification of significance is identified, such as a violation of an ambient air quality standard, this quantity is used to assess the level of significance of a particular impact in this Draft Supplement.

## **HOW TO USE THIS REPORT**

This report includes six principal parts, Summary of Impacts and Mitigation Measures, Project Description, Environmental Analysis (Setting, Impacts, and Mitigation Measures), Other CEQA Considerations, Alternatives, and Appendices.

The **Summary of Impacts and Mitigation Measures** presents an overview of the results and conclusions of the environmental evaluation. This section identifies project impacts and available mitigation measures for use by the State in reviewing the project and establishing conditions under which the project may be developed.

The **Project Description** includes a discussion of the Proposed Project and specific elements of the project.

The **Environmental Analysis** includes a topic-by-topic analysis of impacts that would or could result from implementation of the project. The results of field visits, data collection and review and agency contacts are presented in the text.

**Other CEQA Considerations** includes a discussion of issues required by CEQA: unavoidable adverse impacts, irreversible environmental changes, growth inducement, and cumulative impacts.

The **Alternatives** section includes an assessment of alternative methods for accomplishing the basic objectives of the proposed project. This assessment, required under CEQA, must provide adequate information for decision makers to make a reasonable choice between alternatives based on the environmental aspects of the proposed project and alternatives.

The **Appendices** contain a number of reference items providing support and documentation of the analysis performed for this report.

---

---

## ***2. SUMMARY***

---

---

---

---

## ***2.0 SUMMARY OF ENVIRONMENTAL EFFECTS***

---

---

### **OVERVIEW OF THE PROPOSED PROJECT**

This Supplement evaluates the effects of constructing a vehicle barrier in Capitol Park surrounding the Capitol Building along with visitor pavilions at the north and south entrances into the Capitol. These changes are in response, in part, to the State's increased awareness and need for local and national security.

This summary provides an overview of the analysis contained in Chapter 4.0, Environmental Setting, Impacts and Mitigation Measures. This summary also includes discussions of: (a) effects found to be less than significant; (b) potential areas of controversy; (c) significant impacts; (d) mitigation measures to avoid or reduce identified significant impacts; and (e) unavoidable significant impacts. Table 2-1 at the end of this chapter summarizes the analysis contained in Chapter 4.0, Environmental Setting, Impacts and Mitigation Measures.

### **EFFECTS FOUND TO BE LESS THAN SIGNIFICANT**

The DGS released a NOP for the Proposed Project on June 27, 2003, for a thirty-day public review period. A full copy of the NOP can be found in Appendix A. A public scoping meeting was held on July 16, 2003 to gather input from the public on the proposed design and to hear issues they would like to see addressed in the Supplement. A summary of comments received at the scoping meeting is included in Appendix B. Comment letters received in response to the NOP can be found in Appendix B. Based on the type of project, the NOP determined that no impacts would occur in the following issue areas:

- Land Use and Planning;
- Agriculture Resources;
- Mineral Resources;
- Air Quality;
- Noise;
- Cultural Resources;
- Population and Housing;
- Geology and Soils;
- Hydrology and Water Quality;
- Transportation;
- Biological Resources;
- Hazards and Hazardous Materials;
- Utilities and Service Systems;
- Public Services; and
- Recreation.

As discussed in the NOP, a number of project impacts were determined, based on the type of project, to be less than significant requiring no mitigation. These impacts include the following:

- Change in air traffic patterns;
- Conflict with applicable land use plans or policies;
- Convert Prime, Unique, or Important Farmland to non-agricultural use;
- Induce substantial population growth;
- Destroy a unique paleontological or geologic feature;
- Disturb any human remains;
- Expose people to hazards associated with seismic conditions;
- Result in soil erosion or the loss of topsoil;
- Be located on unstable or expansive soils;
- Emit hazardous emissions or handle hazardous wastes within ¼ mile of an existing school;
- Result in a safety hazard due to the proximity of a public airport or private airstrip;
- Violate water quality or waste discharge standards;
- Deplete groundwater supplies or alter existing drainage patterns;
- Place uses within a 100-year floodplain exposing people to increased hazards;
- Expose people or structures to wildland fires;
- expose people or structures to flood hazards, mudflows, seiche, tsunami, or dam or levee failure;
- Adversely affect biological resources;
- Result in the loss of any known mineral resources;
- Create a significant hazard to the public through transporting or disposing of any hazardous materials;
- Interfere with an adopted emergency response plan;
- Displace people or housing;
- Adversely affect the provision of public services;
- Exceed current wastewater treatment requirements;
- Result in the construction of new wastewater, drainage, or water supply facilities;
- Exceed capacity of a landfill;
- Result in an adverse effect on a scenic vista;
- Create a new source of light and glare;
- Hazards due to a design feature;
- Creation of objectionable odors;
- Exposure of people to excessive vibration or ground borne noise levels; and
- Exposure of people to excessive noise located near a public or private airport.

Historic and visual resources were identified as having a potentially significant impact, and those topics are further analyzed in this Supplement. Potential impacts could be reduced to a less-than-significant level with implementation of the proposed mitigation measures, which are described herein.

## **ENVIRONMENTAL IMPACTS AND MITIGATION**

Under CEQA, a significant effect on the environment is defined as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project,



including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. Implementation of the Proposed Project would result in significant impacts on some of these resources.

This Supplement discusses mitigation measures that could be implemented by the State to reduce potential adverse impacts to a level that is considered less than significant. If an impact is determined to be significant or potentially significant, applicable mitigation measures are identified as appropriate. These mitigation measures are also summarized in Table 2-1. Residual significance indicates the remaining level of significance after implementation of the mitigation measures. An impact that remains significant after mitigation is considered an unavoidable adverse impact of the Proposed Project.

## **ALTERNATIVES TO THE PROPOSED PROJECT**

The alternatives analysis included in the 1997 EIR is summarized and incorporated by reference in this Supplement. In addition, to the alternatives previously analyzed in the 1997 EIR, the Supplement also includes the following alternatives.

- **Alternative 1, No Project/No Action**, assumes the vehicle barrier and visitor pavilions are not constructed.
- **Alternative 2, Historic Fence with Pavilions**, assumes the prior historic fence is constructed as well as the visitor pavilions.

## **UNAVOIDABLE ADVERSE EFFECTS**

The State mitigates all potential adverse environmental effects of the Proposed Project where feasible; where applicable compliance with appropriate State standards and policies are used to mitigate potential impacts and are not identified as mitigation measures. Residual significance indicates the remaining levels of significance after implementation of mitigation measures. When an impact is considered less than significant, no mitigation is required; therefore, no reference to residual significance is necessary. An impact that would remain significant after mitigation is considered an unavoidable adverse impact of the project. No significant and unavoidable impacts were identified.

## **2.6 POTENTIAL AREAS OF CONTROVERSY**

Based on responses received on the NOP (see Appendix B), the public scoping meeting held on July 16, 2003, and public response to the prior EIR, no known areas of controversy have arisen. The scoping meeting generated the following public comments:

- Unnecessary delays could jeopardize the safety of the Capitol, and the people who work and visit there.
- More landscaping, rather than other materials, should be used to protect the Capitol, as that would be more visually pleasing.

- Receiving and visitor pavilion areas should be placed underground to connect to the Capitol.
- Security measures for the Capitol building and grounds should be visually and historically compatible, so the designs approved in the 1997 EIR should be utilized.
- Any new developments to the Capitol grounds should be prepared in the spirit of a Master Plan, and no such plan currently exists for the Capitol area.
- The Safety and Security Improvement Project EIR should consider the Capitol Area Plan policies that encourage the use of non-motorized transportation (such as bicycle use) to improve air quality and to reduce traffic congestion in the Capitol area.
- Do the Visitor Pavilions need to be so large.

## **SUMMARY TABLE**

Information in the following table, Table 2-1, Summary of Impacts and Mitigation Measures, has been organized to correspond with environmental issues discussed in Chapter 4.0. The summary table is arranged in four columns:

- 1) Environmental impacts ("Impact"),
- 2) Level of significance without mitigation ("Significance"),
- 3) Mitigation measures ("Mitigation Measure"),
- 4) The level of significance after implementation of mitigation measures ("Residual Significance").

A series of mitigation measures are noted where more than one mitigation measure may be required to reduce the impact to a less-than-significant level. The Supplement assumes that applicable State standards would be implemented, so they are not identified as mitigation measures.

**TABLE 2-1****SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| <b>Impact</b>  | <b>Level of Significance Prior to Mitigation</b> | <b>Mitigation Measure(s)</b>   | <b>Level of Significance After Mitigation</b> |
|--|--|--|---|
| <b>4.2 Historic Resources</b>  |  |  |   |
| <b>4.4-1. The Proposed Project could affect the value of the State Capitol, Capitol Park, and/or the Capitol Extension District as historic resources.</b> | PS   | From 1997 EIR:<br>4.4-1 <i>The final project design shall be reviewed and approved by SHPO to ensure that it meets Secretary of Interior Standards.</i>  | LS  |
| <b>4.5-2 Subsurface prehistoric or historic resources could be damaged or destroyed during excavation and grading.</b>                                     | PS   | From 1997 EIR:<br>4.4-2 <i>In the event that any historic surface or subsurface archaeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, animal bone, shell, obsidian, mortars, or human remains, are uncovered during construction, work within 100 feet of the find shall cease and a qualified archaeologist shall be contacted to determine if the resource is significant.</i><br><br><i>If the find is determined to be of significance, resources found on the site shall be donated to an appropriate museum or cultural center.</i> | LS  |
| <b>4.4 Aesthetics and Visual Resources</b>   |  |  |   |
| <b>4.3-1 The Proposed Project could substantially alter existing street-level views of the project area.</b>   | LS   | None required  | NA  |
| <b>4.3-2 The proposed security fence could conflict with provisions and intent of the State Capitol View Protection Act and 1997 Capitol Area Plan.</b>    | LS   | None required  | NA  |

LS = Less than Significant  
 SU = Significant and Unavoidable

S = Significant  
 NA = Not Applicable

PS = Potentially Significant  
 NI = No Impact

---

---

### ***3. PROJECT DESCRIPTION***

---

---

---

---

## **3.0 PROJECT DESCRIPTION**

---

---

### **INTRODUCTION**

Based on recommendations put forth in 1996, improvements to Capitol Park to protect the historic building, public visitors, and State employees working in or visiting the Capitol were analyzed in the *Capitol Park Safety and Security Improvements Project Draft Environmental Impact Report* (SCH# 97102015), referred to as the 1997 EIR in this Draft Supplement. The EIR was certified in 1997 and the project approved by the California Highway Patrol (CHP), lead agency for the purposes of CEQA compliance. Specific components of that project, specifically, the reconfiguration of the driveways into the underground parking garages were completed; however, the security fence that was selected and analyzed was never constructed. Please see Chapter 3.0, Project Description, in the 1997 EIR for a more detailed discussion on the original historic fence proposed and the legislative background of the project. Since the EIR was certified in 1997 there has been a change in the lead agency and the CHP is no longer the lead agency for the purposes of CEQA. The Department of General Services (DGS) is now the lead agency for this Supplement because the DGS oversees the current project budget and is responsible for work done in Capitol Park. Copies of the 1997 EIR are available for public review during normal business hours at the DGS, Real Estate Services Division, Environmental Services Section, 3rd Floor, 707 Third Street, Suite 3-400, West Sacramento, CA 95798-9052. Copies are also available at the Sacramento City Public Library located in downtown Sacramento.

This document supplements the Capitol Park Safety and Security Improvements Project EIR that was certified in 1997. In January 2001, a truck crashed into the south side of the Capitol Building. This incident reaffirmed the need to have a vehicle barrier to protect the Capitol Building as well as visitors and employees to the State Capitol. Moreover, in light of recent terrorist events both locally and nationally, and the accompanying need for heightened security, security equipment has been installed inside the main north and south entrances into the Capitol. Because both staff and visitors must be screened, temporary tents have been set up near both the north and south entrances to the Capitol Building, where the Capitol Building and the Annex Building join. Currently, security checks are done at the building entryways with lines queuing in these tents for those who wish to enter the Capitol Building. Two permanent structures (visitor pavilions) are proposed to serve as queuing areas and to accommodate security equipment for visitors entering the Capitol via the north or south primary entrances. The original Capitol Park vehicle barrier concept has been revisited and modifications made to the plans approved in 1997 to include a conceptual new barrier design along with the two visitor pavilions. The proposed new perimeter vehicle barrier design has been reduced from the original dimensions evaluated in the 1997 EIR, and now a combination of landscape elements (bollards, landscape planters, benches, etc.) are being proposed. Due to budget and visual concerns a combination of landscape elements were determined to be the most feasible design for the project.

The Routine Improvements to Capitol Security Committee (RICS committee), comprised of representatives from the Senate Rules Committee, Assembly Rules Committee, California Highway Patrol, the Governor's Office, Senate and Assembly Sergeant at Arms and DGS held numerous meetings in 2003 to develop new conceptual designs for the proposed vehicle barrier and visitor pavilions. In addition, a public scoping meeting was held in July 2003 to solicit input from the public on designs for the proposed vehicle barrier and visitor pavilions. The RICS committee, along with the input received from the public, determined that a combination of bollards, planters, and benches, along with a vehicle arresting cable would meet the objectives of protecting public visitors, state employees and the historic State Capitol building. In addition, the visitor pavilions would provide a location for security screening and shelter for public visitors and state employees accessing the Capitol and Capitol Annex building.

Consistent with the CEQA Guidelines, § 15163, a subsequent EIR is not required because only minor modifications to the Capitol Park Safety and Security Improvements project are proposed, and no new impacts have been identified. A Supplement to an EIR need only contain the information necessary to make the previous EIR adequate for the project as revised. In this case, the Supplement will evaluate the effects of reducing the perimeter of the proposed vehicle barrier, as well as the modified vehicle barrier designs, and adding two permanent visitor pavilions.

As discussed in § 15021 of the CEQA Guidelines, public agencies are charged with the duty to avoid or minimize environmental damage where feasible. In discharging this duty, the public agency has an obligation to balance a variety of public objectives, including economic, environmental and social. The lead agency is required to consider the information in this Supplement along with any other relevant information included in the public record in making its decision on the project (§ 15121).

## **PROJECT LOCATION**

The State Capitol and Capitol Park are located in downtown Sacramento, as shown in Figure 3-1. The proposed Capitol Park Safety and Security Improvements project (Proposed Project) would be located entirely on the State Capitol Park grounds. Access to downtown Sacramento and Capitol Park is provided by Interstate 5 (I-5), the Capital City Freeway (Business 80), State Highway 275 (Capitol Mall), and State Highway 160 (SR 160). The Capitol Park area covers approximately 10 square city blocks and is bordered by 10th, 15th, L and N Streets. The project area, however, would follow the State Capitol Park grounds along 10th, L and N Streets. The eastern boundary would transect the site just west of the State Capitol Annex Building (Annex), as shown in Figure 3-2.

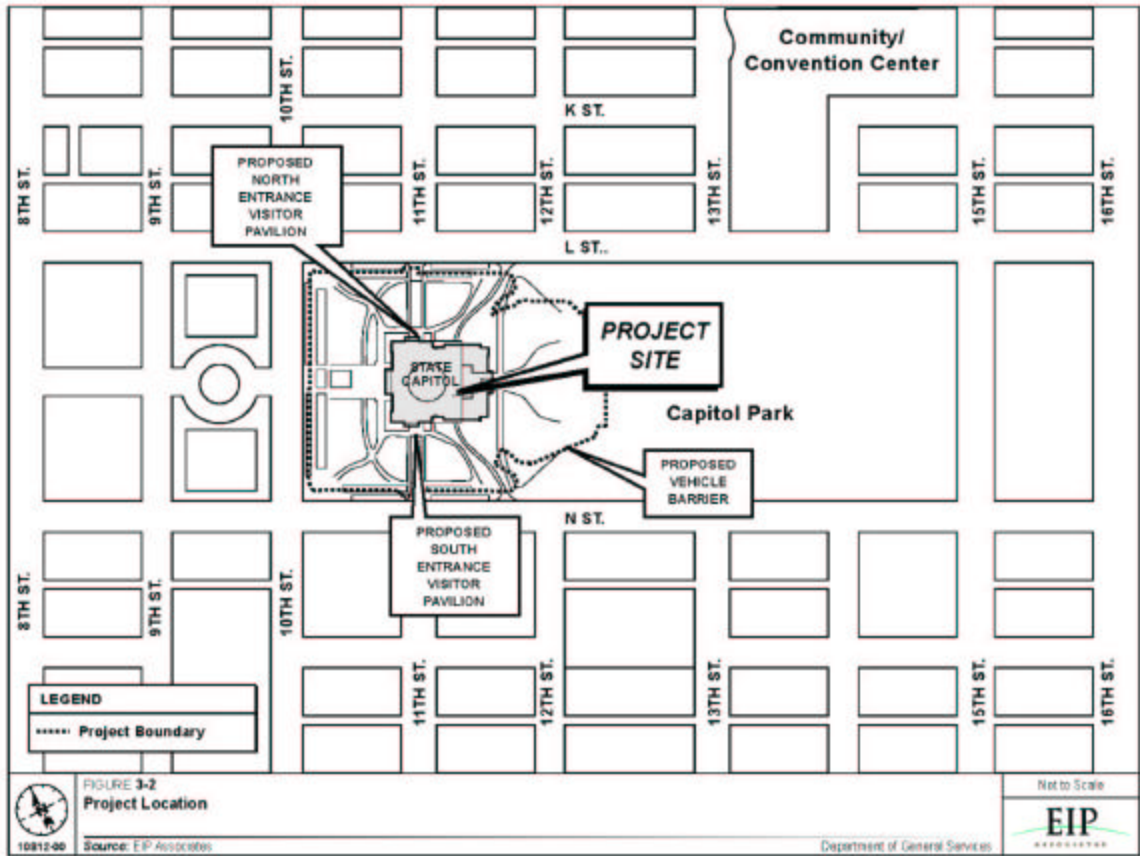
The State Capitol Building is currently set back from N Street, 10th Street, and L Street. Public vehicle circulation around the State Capitol is limited to the city streets, including 10th Street (one-way, northbound), L Street (one-way, westbound), 15th Street (one-way, southbound), and N Street (one-way, eastbound). Authorized employee and delivery vehicles can access the parking structure beneath the Capitol from L Street and N Street driveways (at 12th Street). For landscaping, maintenance, and event and media staging, some vehicles are authorized to access Capitol Park from the corners at 10th and N Streets and 10th and L Streets and drive on the pedestrian walkways.

Pedestrian access to the Capitol is provided through a series of walkways throughout Capitol Park, although pedestrians are not limited to these paths and can cross the grass landscaping at many locations. The entire Capitol Park grounds is bordered by City of Sacramento sidewalks and palm

Figure 3-1



Figure 3-2





tree planter areas. In the front portion of Capitol Park, a State sidewalk parallels the City's sidewalk. The main pedestrian sidewalks that bisect north to south through the park at 12th and 13th Streets are used after hours by residents on their way to or from the Community Center or the K Street Mall.

## **PROJECT OBJECTIVES**

The following objectives will guide development of the Proposed Project:

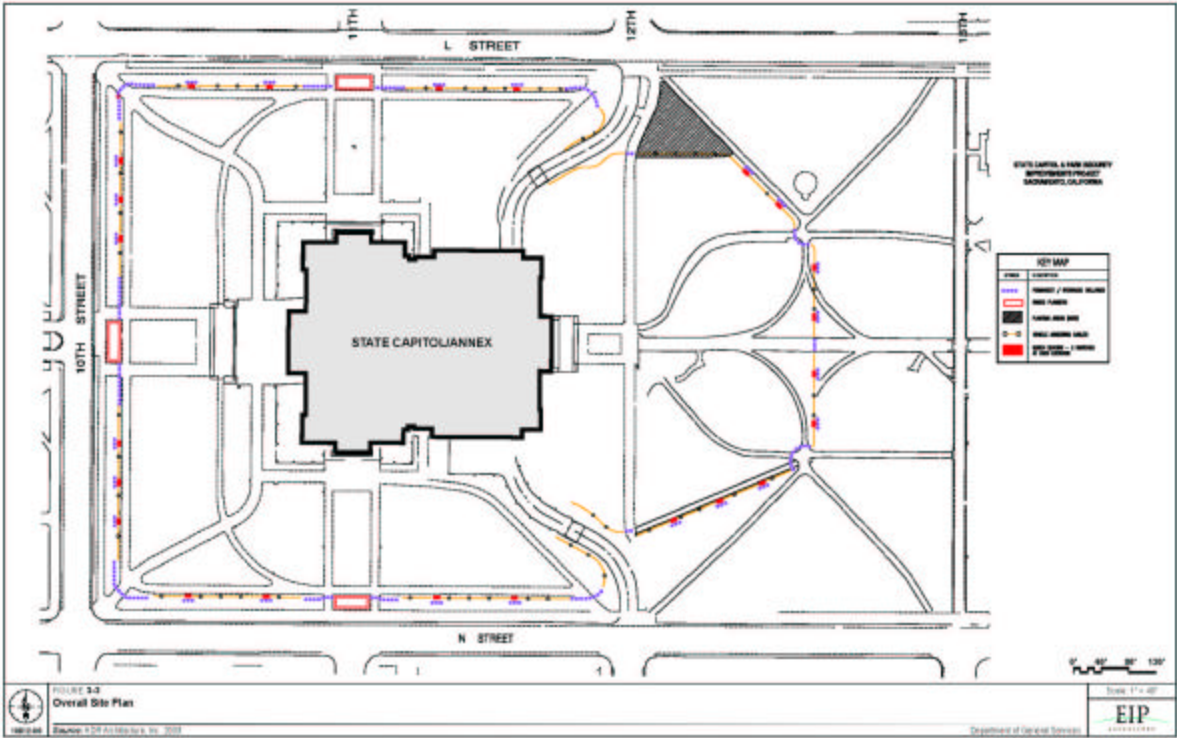
- ? Provide for greater public safety in and around the State Capitol and on Capitol Park grounds.
- ? Provide for protective vehicle barriers around the State Capitol Building to protect the historic building, State employees, and visitors.
- ? Maintain public access to the State Capitol and Capitol Park grounds.
- ? Develop two permanent structures for security screening at both the north and south entrances to provide protection from the elements for visitors and employees.
- ? Increase wayfinding and visibility of public entranceways into the State Capitol building.
- ? Improve ingress and egress from Capitol buildings.
- ? Provide protective vehicle barriers and structures for security screening that honor the historic context of the State Capitol Building, Capitol Park, and Capitol Annex Building.
- ? Improve waiting conditions (climate-controlled environment) during screening procedures for visitors and employees waiting to access the Capitol building (via the north and south entrances).

## **PROJECT DESCRIPTION**

The Proposed Project consists of two phases: the first phase includes establishing a protective vehicle barrier around the State Capitol Building; the second phase includes constructing two structures (visitor pavilions) at the north and south entrances to the Capitol Building to provide a protected location for people waiting to go through security prior to accessing the Capitol Building and to provide an area for security screening equipment.

The vehicle barrier aspect of the Proposed Project (first phase) would follow the historic perimeter of the State Capitol Park grounds along 10th, L and N Streets. Along the eastern boundary, the proposed vehicle barrier runs alongside of the driveways near both L and N Streets that lead towards the two security CHP kiosks, one located near L Street while the other kiosk is located near N Street. From there, the vehicle arresting barrier travels diagonally adjacent to the existing sidewalks. The barrier then travels adjacent to the sidewalk that provides access to the east entrance to the Capitol Annex Building, forming a vehicle restraining enclosure around the Capitol Building and Capitol Annex (see Figure 3-3). Landscape elements, including vehicle arresting cables, bollards,

Figure 3-3



planters, and benches are proposed to protect the Capitol Building, visitors and employees from any vehicles attempting to drive up onto the Capitol grounds. It is anticipated this phase would commence construction sometime in late 2004 or early 2005. Figure 3-3 illustrates a conceptual layout of the proposed landscape elements (bollards, planters, benches, vehicle arresting cable); however, this is still a conceptual design and the exact location of each element may vary.

As stated in the NOP, other Capitol ground improvements related to security including modifications to the below grade loading dock and receiving area may be addressed at a later date in a separate document. However, no funding has been identified for these modifications at this time; therefore, these improvements are not analyzed as a part of this Supplement. If, at a future date, these improvements are funded a separate environmental document would be prepared.

### **Vehicle Barrier**

#### **Vehicle Arresting Cable**

The vehicle arresting cables would be located in the planter area along the outside perimeter of the sidewalk on State grounds that surround the north, south and west sides of the Capitol Building. Along the eastern side of the Annex building, the vehicle arresting cable would be placed in a portion of Capitol Park along with benches and bollards. As shown in Figure 3-3, the vehicle arresting cables would not be located in the planter area adjacent to the City sidewalk that includes the palm trees that surround the Capitol and Capitol Park. The vehicle arresting cables would be located within the mature shrubs and plants that surround the Capitol. New landscaping would be added in those areas where no landscaping currently exists. The cables would be suspended 10-feet apart between 4-inch diameter concrete filled posts. The posts would be 3 feet 2-inches in height. The end support for the cables would be either a concrete planter or bollard. The planters would be a dark gray to match the base of the Capitol Building.

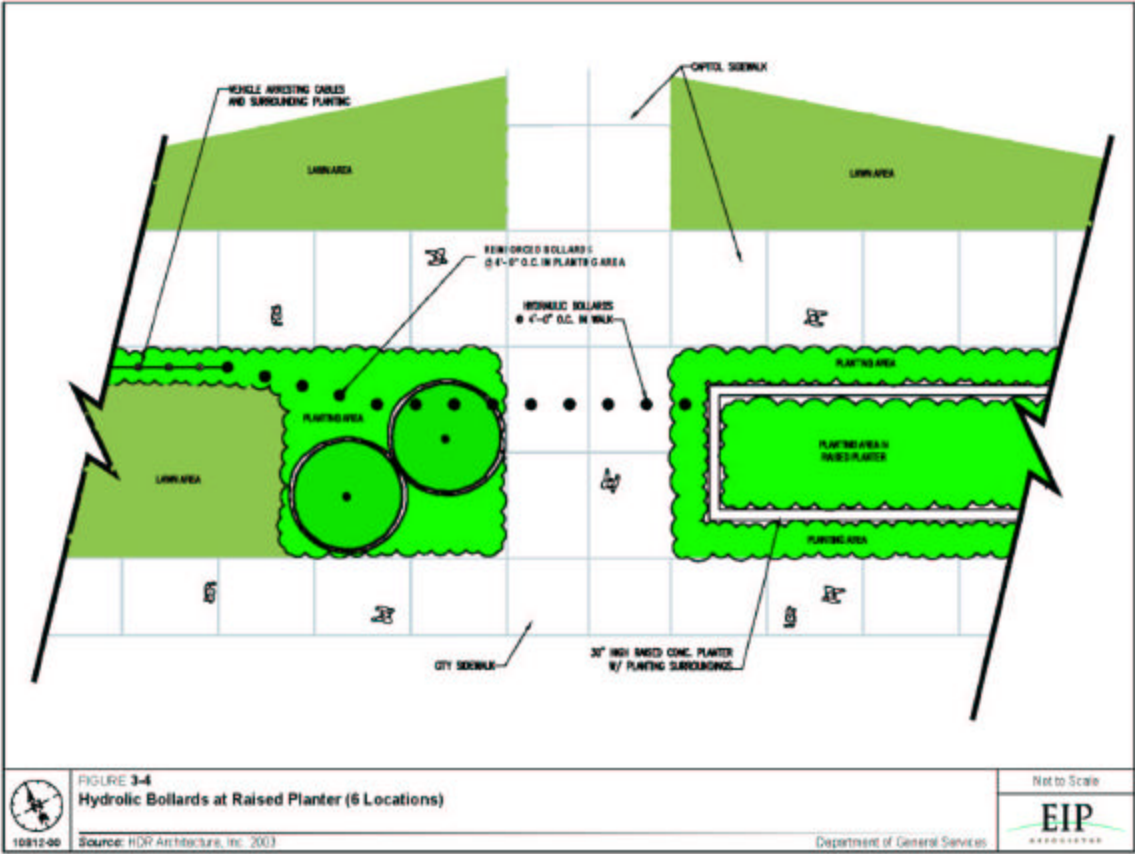
#### **Bollards**

A mix of permanent bollards and hydraulically controlled bollards would be located throughout the site (see Figure 3-3). All of the sidewalks leading to the Capitol would include either 3 or 4 hydraulic bollards. The bollards would be 36-inches in height, one-foot in diameter, exterior finish to be determined later in consultation with the State Historic Preservation Office (SHPO). The bollards would permit easy pedestrian access and could be lowered in the event of an emergency. Permanent bollards would also be placed in the planter area, adjacent to the vehicle arresting cable throughout the site to provide extra protection. The design of all of the bollards would be the same.

#### **Planters**

Raised planters would be located, as shown in Figure 3-3, along the sidewalk leading to the west entrance to the Capitol as well as along the sidewalks leading to the north and south entrances to the Capitol. The raised planters would include a 30-inch high concrete base in a dark gray color to match the planter base of the historic Capitol Building. The planters would be surrounded by low shrubs and would be approximately 50-feet long by 20-feet wide. Figure 3-4 provides a plan view image of the raised planters surrounded by shrubs.

Figure 3-4



## **Benches**

As shown in Figure 3-3, benches would be provided along 10th Street, L Street and N Street as well as in the park area along the east side of the Capitol Annex in various locations. The benches would be approximately 5-feet long and 3-feet high and would be located with permanent bollards placed behind the benches. The benches would be designed and installed with bollards behind the benches to withstand the force of a vehicle attempting to gain unauthorized access onto Capitol grounds. Figures 3-5 through 3-7 illustrate in plan view the typical layout of the benches and bollards.

## **Visitor Pavilions**

The second phase of the project includes the construction of two visitor pavilions, at the north and south entrances to the Capitol. The pavilions would provide a structure where people can wait protected from the elements for security screening prior to entering the building as well as a place to locate security screening equipment. The structures would be located at the north and south entrances of the Capitol building where the Capitol and Capitol Annex building connect and would replace the temporary tent structures that presently exist. The structures would be separate from the Capitol building but would be joined to the building via a "connector joint". The intent would be that if at any point the structures needed to be removed they could be removed without damaging the existing historic Capitol building or Capitol Annex building.

Based upon visitor counts, structures have been designed to accommodate queuing space for approximately 85 people at one time as well as the security screening equipment. As shown in Figure 3-8, the building is designed with glass on all three sides with a low granite base that would tie into the existing dark granite base of the Capitol building. The windows would be clear with a low E glaze. The building would be approximately 15 feet high and 60-feet long by 35-feet wide and would include a total of approximately 2,000 square feet. Roof materials would be determined later in consultation with SHPO. The top of the roof would be flat and could accommodate the heating and cooling mechanical equipment, which would be shielded from views above, or the heating and cooling mechanical equipment would be located outside of the building in an adjacent planter area. Low planter areas currently exist adjacent to the north and south entrances to the building. The pavilions would be designed to incorporate the existing low planter wall adjacent to the base of the structure. This would prevent the creation of a small space between the pavilion structure and the planter where garbage and landscaping debris could accumulate.

The pavilion structures, at both the north and south entrances, would be physically located approximately 10 feet from the actual Capitol Building and Annex Building, set back from the edges of the pavilions by about three feet. This design feature would articulate the pavilions as separate from the Capitol, and would express the corners of the pavilion structures so they do not appear to be running directly into the building. The physical connection to the existing building (connector joint) would include a caulked, glazed joint that could be removed without damaging the surface of the existing building.

Figure 3-5

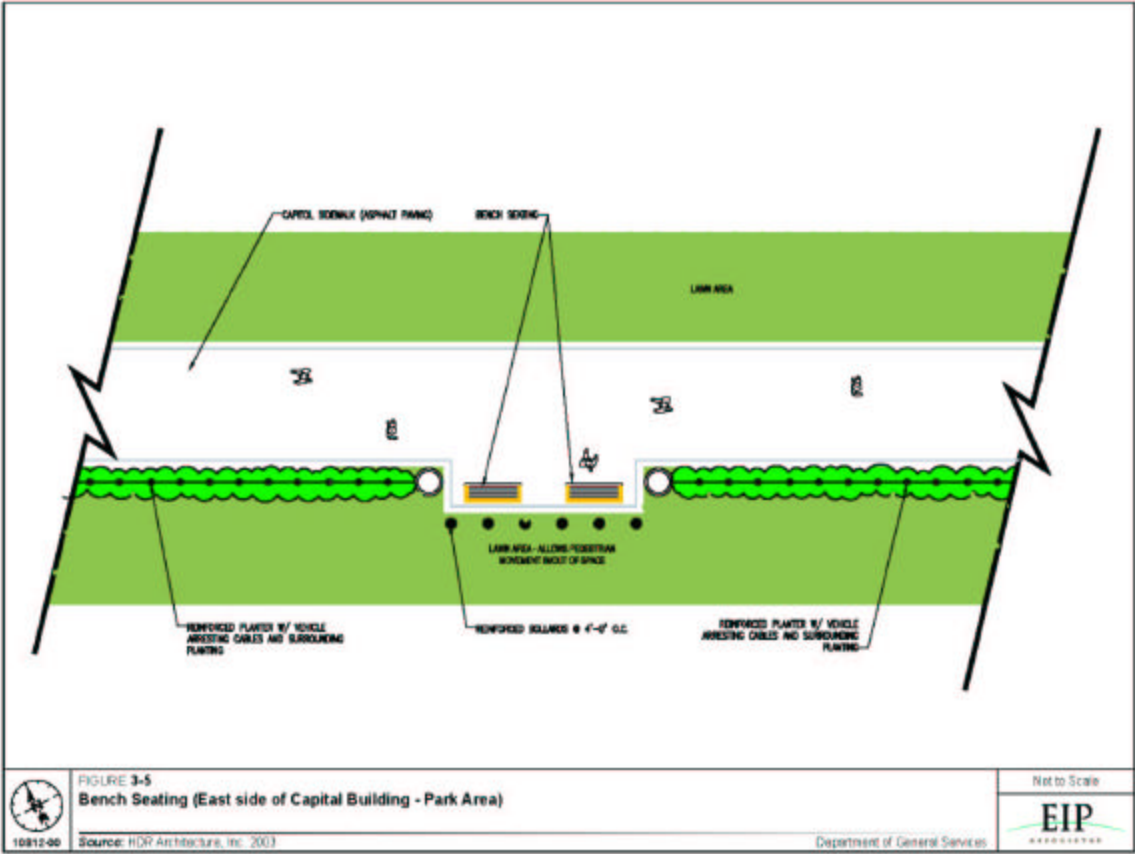


Figure 3-6

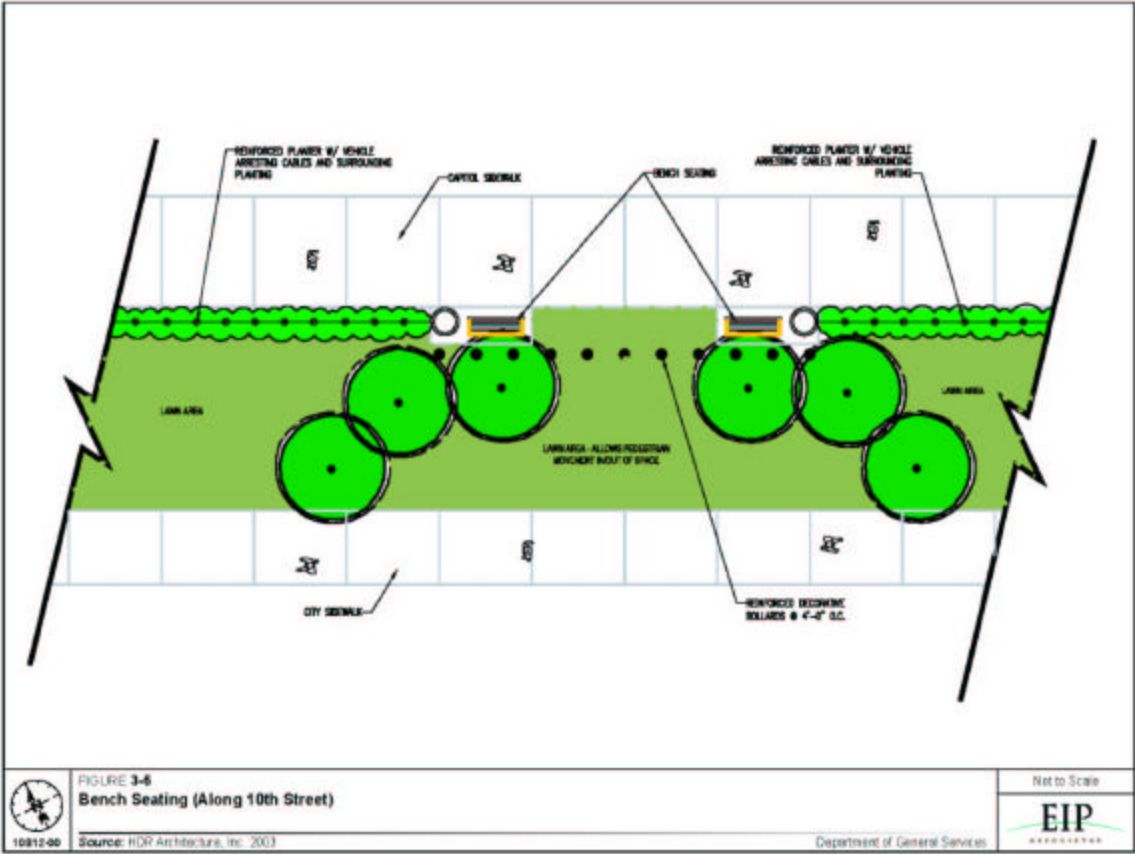


Figure 3-7

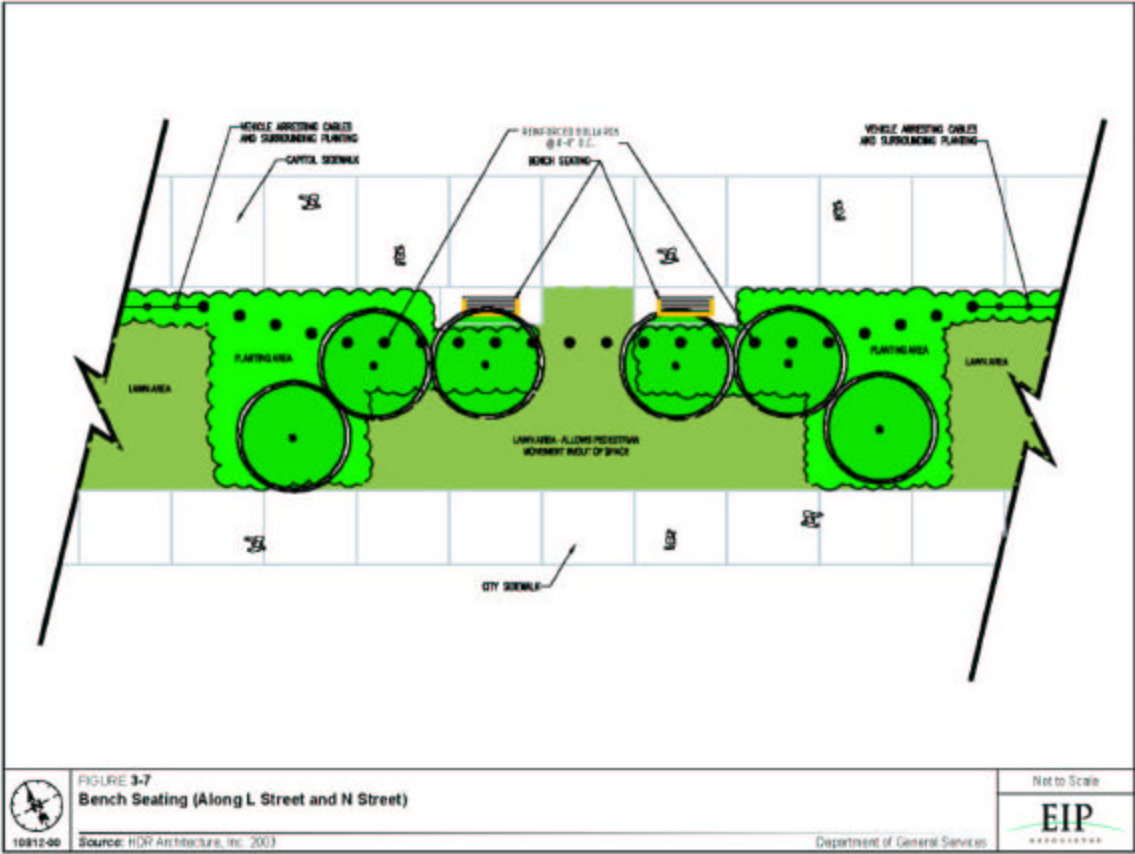
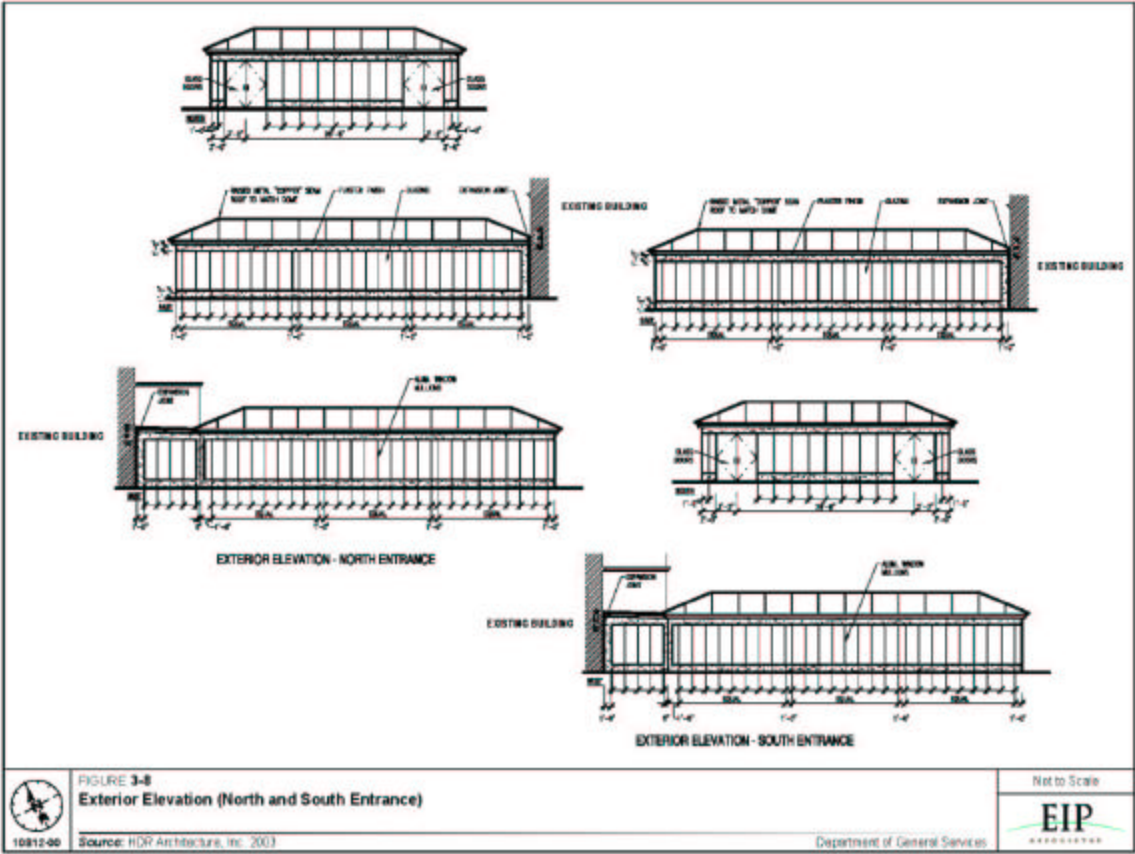




Figure 3-8



### **Public Participation**

The public will have several opportunities to review and comment on the Proposed Project. This Draft Supplement will be available for public review and comment for 45 days. Community members and other interested parties may provide written comments at any time during the review period. A public workshop is scheduled for Tuesday, March 16, 2004 from 5:00 to 6:00 p.m. at 1416 9<sup>th</sup> Street, Auditorium 1<sup>st</sup> floor.

The DGS is the lead agency and is conducting the environmental review for this project. The NOP was circulated for 30 days, as shown in Appendix A. Written comments on the scope of the Supplement were accepted by the DGS through July 28, 2003. In addition, a public scoping meeting (charette) for this project was held on Wednesday, July 16, 2003. Comments received in response to the NOP and the public meeting are included in Appendix B.

The public review period for this Draft Supplement begins on February 10, 2004 and concludes on March 25 2004. All comments are due no later than 5 pm on March 25, 2004. All comments need to be submitted to the attention of:

Lynne Rodrian  
Department of General Services  
Real Estate Services Division  
Project Management Branch  
P.O. Box 989052  
West Sacramento, CA 95798-9052  
(916) 376-1609  
Fax (916) 376-1606

### **Public Agency Review and Approval Process**

As mentioned above, the DGS is the lead agency for the project and has the discretionary authority to approve the project and certify the environmental documentation.

The State Fire Marshall, State Architect Access Compliance Section, and the State Historic Preservation Office will also review the project for conformance with State laws and regulations and to approve final construction documents prior to construction of the project. These agencies are not considered responsible agencies under CEQA because these agencies do not have discretionary approval over the project, but only to approve final construction documents.

### **Project Schedule**

It is anticipated that construction on phase 1 (vehicle barriers) would begin in late 2004 or early 2005. Phase 2 construction (pavilions) is unknown at this time because funding has not yet been secured.

---

---

***4. ENVIRONMENTAL SETTING, IMPACTS,  
AND MITIGATION MEASURES***

---

---

---

---

### ***4.1 Introduction to the Analysis***

---

---

---

## **4.1 INTRODUCTION TO THE ANALYSIS**

---

### **TOPICS ADDRESSED**

The Environmental Setting, Impacts and Mitigation Measures chapter of this Supplement discusses the environmental setting, impacts and mitigation measures for each of the following topics:

- ? Historic Resources, and
- ? Aesthetics and Visual Resources.

### **ANALYSIS ASSUMPTIONS/SECTION FORMAT**

Each section begins with a description of the project **environmental setting** and a **regulatory setting** as it pertains to a particular issue. The environmental setting provides a point of reference for assessing the environmental impacts of the Proposed Project and alternatives. For analytical purposes, impacts associated with implementation of the Proposed Project are derived from the existing baseline environmental setting, or, existing conditions at the time the NOP was published in June 2003.

The environmental setting description in each section is followed by an **impacts** and **mitigation** discussion. The impact and mitigation portion of each section includes impact statements, which are prefaced by a number in bold-faced type. An explanation of each impact and an analysis of its significance follows each impact statement. Mitigation measures pertinent to each individual impact appear after the impact analysis. The degree of relief provided by identified mitigation measures is also evaluated. An example of the format is shown below.

#### **4.X-1 Impact statement.**

Discussion of impact in paragraph format.

Statement of **level of significance** of impact prior to mitigation is included at the end of each impact discussion.

#### Mitigation Measures

Following the impact analysis in each section is the statement of level of significance after mitigation is included immediately preceding the mitigation measures.

4.X-1 *Recommended mitigation measures presented in italics and numbered in consecutive order.*

---

---

## ***4.2 Historic Resources***

---

---

---

---

## ***4.2 HISTORIC RESOURCES***

---

---

### **INTRODUCTION**

Constructed between 1860 and 1874, the California State Capitol in Sacramento is an important historic resource that contributes to the history and diverse architectural styles of Sacramento, the State of California, and the United States. The Capitol Building and Capitol Park located between L and N Streets and 10th and 16th Streets were listed on the National Register of Historic Places (NRHP) in 1973.<sup>1</sup> Any site listed on the National Register is also entered in the California Register of Historical Resources (CRHR). In addition, the “Capitol Preservation Area” was adopted by the City of Sacramento in 1985 to be listed on the City of Sacramento Official Register. With the property so designated, the Proposed Project is subject to review by the State Historic Preservation Officer (SHPO).

This section briefly describes the State Capitol Building and Capitol Park, its overall historic value, the relationship of the proposed vehicle barriers and visitor pavilions to their surroundings, and the historic resource impacts of alterations to the State Capitol Building or Capitol Annex Building based on commonly accepted federal, State and local criteria. Photographs of the historic fence that surrounded the State Capitol are included in Section 4.4, in the 1997 EIR. The environmental setting included in the 1997 EIR is incorporated by reference in this supplement. To assist the reader the information is reprinted.

### **Historic Setting**

#### **Capitol Building and Capitol Park**

Since 1854 Sacramento has been the capital of California. The Capitol Building construction began in 1860 and the building was occupied in 1869. The building was designed by Frederick Butler in the Classical Revival Style. Supervising architects included Reuben Clark (1860-65), Gordon P. Cummings (1865-68), and Albert Austin Bennett (1868-1874). Alterations have occurred several times to the Capitol and the grounds, the most prominent change being the six-story office addition with parking to the rear of the Capitol, which was constructed between 1949 and 1954. The original structure is known as the West Wing, and the 1954 addition is known as the East Wing.<sup>2</sup> Portions of Capitol Park were once terraced, but have since been heavily graded. Prior to the construction of the Capitol Annex (Annex), the Capitol Park was terraced and granite steps led to the Capitol. When the Annex was constructed in the early 1950s, the lot was graded, thereby eliminating the terracing, and the steps were taken out.

- 
1. National Register of Historic Places Inventory, National Park Service. Prepared August 15, 1972 and entered into register on April 3, 1973.
  2. National Register Nomination.

The State of California Historic Resources Inventory Form prepared in 1981 makes the following statement about the significance of the Capitol Building:

The State Capitol is indisputably the most significant public building in California. As official home of the State Legislature since 1869, it embodies the principles of representative republican government and symbolizes the legitimate sovereignty of the State's political institutions. The State's constitution was produced in the building by a constitutional convention which met there in 1978-79 (sic should read 1878-79). In addition, for many years the West wing housed almost the whole of State government, including the governor and other constitutional officers. Two other buildings, OB (Office Building) 1 and the Library and Courts Building, located at the eastern end of the Capitol Mall, house other significant state functions and are considered legally and visually a part of the Capitol.

The California State Capitol was nominated to the NRHP based on meeting three of the National Register Criteria of Evaluation:

Item 1 (A). Applicable - associated with events that have made a significant contribution to California's history.

Item 2 (B). Applicable - associated with the lives of persons significant in our past.

Item 3 (C). Applicable - embodies distinctive characteristics of a type and period [of architecture].

The California State Capitol was officially listed in the NRHP on April 3, 1973. The listing cites Criteria A and C as being the basis for the historic significance of the property.

National Historic Landmarks are buildings, sites, districts, structures, and objects that have been determined by the Secretary of the Interior to be nationally significant in American history and culture. Potential Landmarks are identified primarily through theme studies undertaken by the National Park Service. Although the majority of Landmark nominations are initiated by the National Park Service, nominations prepared by other Federal agencies, state historic preservation offices such as the State Office of Historic Preservation, and individuals are accepted for review. The California State Capitol is not currently recognized as a National Historic Landmark (NHL).

### **Capitol Extension District**

For several decades, the Capitol building was adapted to the needs of government through additions and alterations. However, by the early 1900s the state government had outgrown this structure.

By the turn of the century, there was a strong movement to designate San Francisco as the Capitol City. The State Capitol was becoming over-crowded, so that some State departments found it difficult to function. The California Supreme Court had been holding its sessions in San Francisco since 1878. By the 1910s there were 18 state departments located in San Francisco - more than in Sacramento. Two departments in Sacramento were housed in rental units. In 1913, voters approval of \$700,000 bonds to purchase two blocks west of Capitol Park to donate to the State for building expansion forestalled the movement of the State Capitol.<sup>3</sup>

---

3. California State Library Foundation Bulletin, Number 8, 1984.



In 1914, a State Bond Act was passed appropriating funds to build two new buildings on the land in Sacramento. One building would house the State Library, the Supreme Court and the District Court of Appeal. The other would house all of the scattered state departments, most of which were in San Francisco. Both buildings would be conveniently adjacent to the Capitol Building.<sup>4</sup>

A nationwide architectural competition for design of the two buildings was initiated in 1916. Competing with 64 entries, the San Francisco architectural firm of Weeks & Day was awarded the design commission on November 30, 1918. State Office Building Number One and the California State Library were built between 1924 and 1928.

The State Capitol, Capitol Mall, Jesse Unruh Office Buildings (formerly State Office Building Number One) and State Library and Courts are contributing buildings to the California State Capitol and Capitol Mall listed on the National Register of Historic Places.

In the mid-1800s, the City of Sacramento donated to the State of California the land for the Capitol Building site. The land around the Capitol is called Capitol Park and originally included the blocks bounded by 10th, 12th, L and N. Purchase of the six blocks between 12th, 15th, L and N Streets in 1870 and 1872 expanded Capitol Park to its present 10-square-block size.

Many of the large trees surrounding the Capitol Building are part of the original planting of 1870, extending from L to N Streets and 10th to 12th Streets. The location of the original carriage track to the Capitol Building can be identified between 12th and 13th Streets and L and N Streets, by large English Elms planted in a large oval pattern in 1882. Between 13th and 15th Streets and N and L Streets are plants that were sent to Governor Hiram Johnson in 1914 by schoolchildren throughout the State of California.<sup>5</sup>

### **Historic Capitol Fence**

In the 1870s, a wooden fence was constructed around the nearly completed Capitol Building. The wooden fence was located around the perimeter of the Capitol, leaving a wooden boardwalk between the erected fence and the dirt streets. It is not known if this fence was intended as a construction fence or a permanent fence, or how long it remained prior to 1883.

In 1883 the Architect of the Grounds, William H. Hamilton, commissioned a more permanent fence enclosing the Capitol Grounds.<sup>6</sup> This fence is noted herein as the Historic Fence and included granite gate posts at main entrances, a granite and cast iron fence, and granite bollards with chains connecting them. The Historic Fence remained in place until 1952 when the Capitol Annex was constructed. The gate posts, granite and cast iron fence, and granite bollards and chains, were all removed at that time. The cast iron fence was removed earlier, during World War II. The only items of the original fence that are extant are two of the original bollards which are in storage, while eight gate posts are located throughout Sacramento County. Six of the original historic gate posts are located in the City of Folsom, where they have been for nearly 50 years; therefore, these gate posts may be considered historic features in their current location.

---

4. Ibid.

5. The California State Capitol Park Tree Tour Map.

6. Vitetta Group, *Design Development Report: California State Capitol Improvements*, Sacramento, California, August 28, 1997, page 2.

The Historic Capitol Fence consisted of a 2-foot tall, solid granite base with a 1-foot 8-inch tall cast iron railing above the base. At each of the pedestrian openings, the fence terminated into 11 foot 6 inches high, granite gate posts. The fence was located on the Capitol side of the City of Sacramento sidewalk. In addition, granite posts called bollards were placed around the remaining Capitol grounds, from 11th and L Street around 13th Street to 11th and N Street. The bollards were 34-inches tall and were spaced approximately 6 feet apart with a chain draped between each. The chain ran through an iron cap on top of each post.<sup>7</sup>

## **ENVIRONMENTAL SETTING**

### **Capitol Park**

At present, there is no fence surrounding the Capitol Building and pedestrians are free to walk on the sidewalks, paths, and on the grounds. The entire Capitol Park is bordered by City of Sacramento sidewalks and palm tree planter areas. In the front portion of Capitol Park a State sidewalk parallels the City's sidewalk. Capitol Park is relatively level, without hills or berms. Various historic trees, gardens and monuments are located around the grounds, and are popular destination attractions for the public. Capitol Park is known for its thousands of shrubs, trees, flowers, and spacious lawns. Entrance points into the grounds are located at street termination points and at the corners at 10th, 12th, 13th, 14th, and 15th Streets. Vehicular access to the Capitol Building is located at two driveways on L and N Streets. The drives cut diagonally toward the Capitol Building and terminate at the parking garage. The vehicular drives are monitored by a single security CHP kiosk at each drive.

### **Adjacent Districts or Historic Sites**

The Capitol Building and Capitol Park are surrounded by National historic buildings, to the west, south, and east of the Capitol Building. The Capitol Extension District includes the State Capitol, Capitol Mall, Jesse Unruh Building, and State Library and Courts Building.

#### State of California Government Buildings District

The State of California Government Buildings District consisting of three State office buildings and their annexes, lies immediately south of Capitol Park, between N, 10th and O Streets, and the half block between 12th and 13th Streets. The three office buildings---the Motor Vehicle Building, the Public Works Office Building, and the Business and Professions Building (now the Legislative Office Building)---were constructed between 1935 and 1938. The three State office buildings and annexes form part of the State of California Government Buildings District, determined eligible for listing as a historic district on the National Register of Historic Places, and hence, included on the California Register of Historic Resources.

---

7. Please see section 4.4 in the 1997 EIR for photographs of the historic fence that once surrounded the State Capitol.

### Central Business District Preservation Area

The City of Sacramento has designated Historic Preservation Areas throughout the Central City. Two of these Preservation Areas include properties that are adjacent to the project site. The Capitol Preservation Area includes the same buildings as the Capitol Extension District, along with the Blue Anchor Building and the Sutter Club. The Cathedral Square Preservation Area abuts L Street across from Capitol Park, between 11th and 12th Streets.

### **REGULATORY CONTEXT**

The treatment of cultural resources is addressed by national, state and local laws, regulations and guidelines. There are specific criteria for determining whether prehistoric and historic sites or objects are significant and/or protected by law. Federal and state significance criteria are concerned with the resource's integrity and uniqueness, its relationship to similar resources, and its potential to contribute important information to scholarly research. Local laws tend to focus on a resource's relationship to local history. Some resources that do not meet federal significance criteria are considered significant according to state or local criteria.

### **Federal**

Under Section 106 of the National Historic Preservation Act, the NRHP is the United States' official list of cultural resources that are worthy of preservation. The National Register includes districts, sites, buildings, structures and objects with local, regional, state, or national significance.<sup>8</sup> The definition of historic property includes "any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register."<sup>9</sup> This definition also applies to artifacts, records and remains. The criteria for listing on the National Register are:<sup>10</sup>

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and that:

- A. are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. are associated with the lives of persons significant in our past; or
- C. embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. have yielded, or may be likely to yield, information important in prehistory or history.

### **State**

State law also protects cultural resources, by requiring that prehistoric and historic resources be evaluated for significance when a CEQA document is prepared. State law protects cultural

- 
- 8. California Office of Historic Preservation. *Historic Preservation in California: A Handbook for Local Communities*, December, 1986.
  - 9. Advisory Council on Historic Preservation, *Fact Sheet: Working with Section 106*. Citation from 36 CFR '800.2(e).
  - 10. 36 CFR Section 60.4, cited in Advisory Council on Historic Preservation, 1986b.

resources by requiring evaluations of the significance of prehistoric and historic resources. Section 21084.1 of the CEQA requires an environmental document to evaluate the potential effects of a project on a historical resource, as further defined in § 15064.5(a) of the CEQA Guidelines. Section 21083.2 of CEQA requires an environmental document to address archaeological resources if a project may have a significant effect on a unique archaeological resource. Under CEQA, a “unique archaeological resource” is defined by § 21083.2(g) as:

An archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- (1) Contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information.
- (2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- (3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Sections 21083.2 (b)–(f) describes mitigation for affected unique archaeological resources under CEQA. Mitigation includes preservation of the resource in-place, either through site planning or recording easements, as well as mitigation by excavation.

### **California Register of Historic Resources (PRC Section 5020 *et seq.*)**

State law also protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources in CEQA documents. A cultural resource is an important historical resource if it meets any of the criteria found in § 15064.5(a) of the CEQA Guidelines. These criteria are nearly identical to those for the NRHP.

The SHPO maintains the CRHR. Properties listed, or formally designated eligible for listing, on the NRHP are automatically listed on the CRHR, as are State Landmarks and Points of Interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys.

Section 21084.1 of the Public Resources Code states that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment. Historical resources are defined in § 5020.1(k) and criteria for identification of a historical resource are identified in § 5024.1(g), as stated below. For purposes of this section, a historical resource is a resource listed in, or determined eligible for listing in, the CRHR. Historical resources included in a local register of historical resources, as defined in subsection(k) of § 5020.1 are presumed to be historically or culturally significant for purposes of this section, unless the preponderance of the evidence demonstrates that the resource is not historically or culturally significant. The fact that a resource is not listed in, or determined to be eligible for listing in the CRHR, not included in the local register of historical resources, or not deemed significant pursuant to criteria set forth in subdivision (g) of § 5024.1 does not preclude a lead agency from determining whether the resource may be a historical resource for purposes of this section.

*Section 5020.1(k)*

“Local register of historical resources” means a list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution.

*Section 5024.1(g)*

A resource identified as significant in a historical resource survey may be listed in the California Register if the survey meets all the following criteria:

- (1) The survey has been or will be included in the State Historic Resources Inventory.
- (2) The survey and the survey documentation were prepared in accordance with office procedures and requirements.
- (3) The resource is evaluated and determined by the office [of Historic Preservation] to have significance rating of Category 1 to 5 on DPR Form 523.
- (4) If the survey is five or more years old at the time of its nomination for inclusion in the California Registry, the survey is updated to identify historical resources which have become eligible or ineligible due to changed circumstances or further documentation and those which have been demolished or altered in a manner that substantially diminishes the significance of the resource.

## **CEQA Guidelines**

Section 15064.5 of the CEQA Guidelines defines historical resources for the purposes of CEQA, as described above under “Definitions of Historical Resources.” Archaeological and paleontological resources may also be considered historical resources, as they can meet the criterion of yielding, or likely to yield, information important in history or prehistory. Section 15064.5 also explicitly includes significant effects on historical resources as significant environmental effects for the purposes of analysis, and provides criteria for analysis, as well as treatment of, historical structures and other resources, archaeological resources, and human burials.

Section 15126.4 of the CEQA Guidelines describes mitigation measures related to historical resources, including archaeological resources. Although the section includes provisions for mitigating effects on archaeological resources through excavation, similar to the provisions of sections 21083.2(b)–(e) of CEQA, § 15126.4(b)(3) of the CEQA Guidelines states, “public agencies should, whenever feasible, seek to avoid damaging effects on any historical resources of an archaeological nature.” Further, § 15126.4(b)(3)(A) establishes a clear preference for preservation in-place of archaeological resources, stating “[p]reservation in place is the preferred manner of mitigating impacts to archaeological sites.”

## **IMPACTS AND MITIGATION MEASURES**

### **Method of Analysis**

Information used in this section includes a review of site maps, the NOP for the State Capitol Safety and Security Improvements Project (June 2003), and the 1997 EIR. In addition, a site visit was conducted by Carey & Co. on August 10, 2003 (see Appendix C for the related historic resource report).

The primary purpose of the Proposed Project is to provide security for the State Capitol Building. In achieving this goal, the Proposed Project would be designed to be compatible with existing historic resources, including the State Capitol, Capitol Park and Capitol Annex Building.

The Secretary of the Interior's Standards for Rehabilitation is an accepted set of standards used by federal, state, and local governments throughout the country in reviewing proposed construction affecting historic properties. When the Secretary of Interior considers treatments of historic properties, the affect on the historic property itself is considered first, then the affect on the district, if any, in which the property is located. Therefore, this analysis considers the relationship of the Proposed Project to the State Capitol, Capitol Park and the Capitol Park Extension District, which consists of the State Capitol, Capitol Park, the Jesse Unruh Building and the State Library Building.

The Secretary of the Interior has set standards for the preservation, rehabilitation, restoration, and reconstruction of historic properties (36 CFR Ch. 1, 7-1-97 Edition, section 68.3). The primary differences between these activities are:

**Preservation:** A property would be used as it was historically or given a new use that maximizes the retention of distinctive materials, features, spaces and spatial relationships...

**Rehabilitation:** A property would be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships...

**Restoration:** A property would be used as it was historically or be given a new use that interprets the property and its restoration period...

**Reconstruction:** Reconstruction would be used to depict vanished or non-surviving portions of a property when documentary and physical evidence is available to permit accurate reconstruction with minimal conjecture and such reconstruction is essential to the public understanding of the property.

As can be seen from these definitions, the Proposed Project does not fit neatly into one category. The closest definition is rehabilitation, because the project would alter or adds to a historic building "to meet continuing or new uses while retaining the building's historic character." The Secretary of the Interior standards that apply to rehabilitation are listed below:

*Rehabilitation*

- (1) A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
- (2) The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
- (3) Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

- (4) Changes to a property that have acquired historic significance in their own right will be retained and preserved.
- (5) Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
- (6) Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
- (7) Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
- (8) Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
- (9) New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
- (10) New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The impact analysis discusses the manner in which the Proposed Project would comply with the above standards. As stated earlier, the Proposed Project is not intended primarily as a historic project, so no set of standards fits it exactly. Nonetheless, the standards do provide a means by which to measure the effects of the Proposed Project on the State Capitol Building, Capitol Park, Capitol Annex, the Capitol Extension District.

### **Standards of Significance**

For the purpose of this Supplement, an impact is considered significant if the Proposed Project could:

- Cause a substantial adverse change in the historic significance of the State Capitol and/or Capitol Park; or
- Damage or destroy subsurface historic or prehistoric sites or artifacts during construction that could meet CEQA for significance.

### **Impacts and Mitigation Measures**

#### **4.4-1 The Proposed Project could affect the value of the State Capitol, Capitol Park, and/or the Capitol Extension District as historic resources.**

As discussed in the Environmental Setting, several potential and/or listed historic areas are adjacent to the project site. With the exception of the Capitol Extension District, the historic integrity of these districts and the historic properties they contain, are not dependent on the State Capitol or

Capitol Park. The proposed vehicle barrier or visitor pavilions would have little impact on them. Therefore, the relationship between Capitol Park and the potential district would be unchanged. The State Office Buildings District, with three buildings facing N Street, is directly across from the project site. However, these buildings were constructed when the historic fence was in place, so a fence in and of itself would not conflict with their historic context. The visitor pavilions would not be visible to buildings located within the State Office Buildings district. For these reasons, the Proposed Project would not have a significant effect on any adjacent historic districts.

The Proposed Project could potentially result in a significant impact on the State Capitol, Capitol Park, and/or the Capitol Extension District if the design of the project could conflict with the Secretary of Interior Standards. The following outlines the basis of analysis for this conclusion.

The Proposed Project includes the construction of a vehicle barrier around the State Capitol and two visitor pavilions. The Proposed Project's relationship to each of the standards for rehabilitation is cited in the Methods section is discussed below.

**Consistent with Standard 1 for rehabilitation**, the State Capitol Building would continue to be used as it was historically with the proposed visitor pavilion additions and the vehicle barrier improvements. The project site would continue to be publicly accessible for state governmental purposes. The Proposed Project would require minimal changes to the property's character-defining features including, but not limited to, the historic landscape features of the Park and the distinctive materials, features, and spaces of the Capitol. Spatial relationships between the building and the grounds would be minimally altered, as the primary northern and southern entrances, and access to them, would remain in their same general position.

**Consistent with Standard 2 for rehabilitation**, the Proposed Project would generally retain and preserve the overall historic character of the State Capitol and Capitol Park by avoiding the property's character-defining features. The project has been designed to avoid heritage trees<sup>11</sup> and memorials throughout the Park (see also discussion pertaining to Standard 9). Some existing vegetation may need to be removed to accommodate the proposed vehicle barrier improvements, as much of the construction/trenching would occur below ground. However, existing landscaping lost due to construction would not be considered historic and would be replaced with new, compatible landscaping to obscure the vehicle arresting cables and raised concrete planters. The planters would be visible new elements in the Park, but would be relatively low-scale objects (30-inches tall) softened by new perimeter landscaping, and would not compete visually with the overall character of the State Capitol or Park setting. The reinforced decorative bollards would also be new and visible objects in the Park, but would be relatively low-scale objects (36-inches tall), of a classical design to be determined in consultation with SHPO, while clearly of modern origin. The new benches would also reflect a modern interpretation of traditional park bench design. The existing vehicular and pedestrian Park entrances would be maintained, with new hydraulic bollards embedded in the existing sidewalks.

- 
11. To our knowledge, no trees in the Capitol Park have been formally designated as "Heritage Trees." For purposes of this document, however, "heritage trees" are those trees that are at least 50 years old and have commemorative value, are outstanding botanical specimens, display unique traits or serve a particular aesthetic function in the landscape. In addition, the City of Sacramento's Heritage Tree Ordinance (Title 12.64 of the Sacramento City Code) defines heritage trees as any tree of any species with a trunk circumference of 100 inches or greater, or any native *Quercus* species, *Aesculus California* or *Platanus Racemosa*, having a circumference of 36 inches or greater.



The proposed visitor pavilions would generally avoid the removal of distinctive materials and features of the State Capitol, and would attach “lightly” to the Capitol Annex façade, such that they could be removed in the future without damaging the building. The new northern and southern entrances would remain on-axis with the existing entrance locations, although extended deeper into the Park, maintaining this important spatial relationship between the building and the grounds. The new pavilions would be new and visible additions to the State Capitol, but would not visually compete with its Classical Revival grandeur due to their relatively small size, low-scale design, and generous use of transparent glazing. Consistent with the *Standards for Rehabilitation*, the new additions would be of limited size and scale in relationship to the historic building, and placed on non-character defining elevations (i.e., away from the historic north, south, and west porticos). No heritage trees or other significant landscape features would be lost to accommodate construction of the pavilions.

**Consistent with Standard 3 for rehabilitation**, the Proposed Project would not create a false sense of historical development. No conjectural features or elements from other historic properties would be used. For example, the proposed vehicle barrier improvements would clearly be recognized as 21<sup>st</sup> century creations and would not falsely recreate previous fencing designs which had encircled the Park from 1883 to 1952. The Park landscape design has undergone numerous revisions in its 130-plus years of existence, the last and most significant of which occurred in the 1950s, when the Park’s terraced lawns and fencing were removed. The Proposed Project could be seen as another layer of change to a landscape setting that has evolved to accommodate various use requirements of the Capitol.

Similarly, the visitor pavilions would be recognized as new, compatible additions to the State Capitol while avoiding conjectural features or elements from other historic properties that could create a false sense of historical development.

**Consistent with Standard 4 for rehabilitation**, the Proposed Project would minimally alter landscape elements and building additions which date to the 1950s, and are currently recognized as historically-significant properties. The Proposed Project would generally maintain and preserve the Capitol Annex, which has acquired historic significance in the last 50 years.

**Consistent with Standard 5 for rehabilitation**, the Proposed Project would preserve the Park’s distinctive elements that characterize the property by generally avoiding them. For example, the vehicle barrier improvements have been designed to avoid all of the Park’s heritage trees, memorials, large panels of lawn, and formal planting beds that characterize this historic property.

Similarly, the Proposed Project would preserve the Capitol’s distinctive materials, features, finishes, and construction techniques by generally avoiding them. For example, the granite base on the Capitol Annex would be partially obscured at the visitor pavilions’ attachment points, but would not be damaged or destroyed by it. The new pavilions would attach lightly to the Annex with a caulked and glazed connector structure, and would not require removal of this distinctive building material. The decorative grills located above the existing entrances to the Annex would remain in place.

**Standard 6 is not applicable**, because neither Capitol Park nor the State Capitol appear to exhibit deteriorated historic features that would be repaired or replaced by the project.

**Standard 7 is not applicable**, because the Proposed Project does not intend to use chemical or physical treatments that would cause damage to historic materials.

**Consistent with Standard 8 for rehabilitation**, there are no known archaeological sites within the proposed construction boundaries of the project. Given the previously disturbed nature of the soil beneath and around the Capitol, it is unlikely that intact archaeological resources exist. However, as the area has not been surveyed by an archaeologist, such resources may be encountered anywhere in the construction zone. If encountered during construction, standard mitigation measures for the protection of archaeological resources would be employed as required by California law, including stopping work until a qualified archaeologist can assess the find and prepare mitigation measures to protect it. See discussion under Impact 4.2-2.

**Consistent with Standard 9 for rehabilitation (with mitigation)**, the vehicle barrier improvements would be a new addition that would not destroy the Park's historic landscape features, including its formal, axial design, existing entrance paths and walkways, lawn panels, major planting areas, memorials, or heritage trees. The majority of the Park improvements would be located on the perimeter of the Park, within the existing planting strip between the City sidewalk and the Park sidewalk, maintaining the large interior expanses of lawn, heritage trees, and planting areas closer to the Capitol. Lawn areas or other landscaping in the vicinity of the construction zone would be replaced with compatible new landscaping, including shrubs that would obscure the vehicle arresting barriers and concrete planters. The project would avoid the Civil War Memorial Grove to the east of the Capitol. The reinforced and fixed decorative bollards, as well as the moveable hydraulic bollards, would be relatively low-scale objects (36-inches tall), of a classical design (base, capital, and shaft) while clearly of modern origin. The new benches would also reflect a modern interpretation of traditional park bench design. The reinforced concrete planters, to be located at the 11<sup>th</sup> Street and Capitol Mall entrances to the Park, would be relatively low-scale objects (30-inches tall) surrounded by landscaping that would protect the integrity of the Park and Capitol. As existing vehicular and pedestrian entrances to the Park would remain in their current locations, the security improvements would maintain the spatial relationships between the Capitol, the Park, and the City streets and sidewalks beyond.

The new visitor pavilions, to be added to the existing northern and southern entrances of the State Capitol, would not destroy historic materials or features, such as the granite base or decorative grilles, nor would they remove existing landscaping or heritage trees in the Park. The nearly identical and symmetrical pavilions would be clearly new additions to the State Capitol and Park, yet compatible with the historic materials and features found at the Capitol. New materials, such as the granite-clad base and columns of the pavilions would be compatible with the gray-granite base found throughout the first two stories of the Capitol. The roof materials would be determined in consultation with SHPO. The hip roof shape and decorative cornice line is a traditional roof form found in Classical Revival architecture. The new additions would be clearly differentiated from the historic Capitol through the use of nearly continuous glazing, thin aluminum window mullions, and all-glass entrance doors, intended to make the pavilions appear as transparent as possible. Given the pavilion's relatively low-scale, 15-foot height, they would not visually compete with the 220-foot tall Capitol. The new additions would be of limited size and scale in relationship to the historic building, and placed on non-character defining elevations (i.e., away from the historic north, south, and west porticos), thereby protecting the integrity of the property and its environment. When viewed from the Park facing the west entrance of the Capitol, portions of the pavilions would be

visible projecting out beyond the north and south porticos, but would not substantially detract from the Capitol's overall visual presence.

The new pavilions would be separated from the Capitol by a "connector joint" structure about 10 feet long, set back from the edges of the pavilions by approximately three feet. This design feature would articulate the pavilions as separate from the State Capitol and Annex Building, and would express the corners of the pavilion structures so they do not appear to be running directly into the building. All mechanical and electrical systems connections from the Capitol to the pavilions would occur below grade, or located outside of the pavilions in an adjacent planter area. In an effort to minimize the physical connection between the "connector" structure and the Annex, the joint between them would be caulked and glazed.

**Consistent with Standard 10 for rehabilitation**, new construction related to the vehicle barrier improvements could be removed in the future in a manner that retains the essential form and integrity of the Park, as the proposed new construction would generally avoid those historic landscape elements which characterize the Park.

As described above, the visitor pavilions would be physically connected to the Capitol Annex with a caulked glazed joint to minimize the connection (connector joint). In this way, the pavilions could be removed in the future without damaging the granite wall surfaces of the Capitol Annex or decorative grills.

As discussed above, the Proposed Project has been designed to comply with the Secretary of Interior Standards, and the vehicle barrier improvements have been designed to avoid heritage trees and memorials in the Park. However, because there is the potential for the project to not meet the Secretary of the Interior Standards. This is considered a **potentially significant impact**. Mitigation Measure 4.4-1 from the 1997 EIR would still be required.

#### Mitigation Measures

Implementation of Mitigation Measure 4.4-1 from the 1997 EIR would reduce this impact to a *less-than-significant level*.

4.4-1 *The final project design shall be reviewed and approved by SHPO to ensure that it meets Secretary of Interior Standards.*

#### **4.4-2 Subsurface prehistoric or historic resources could be damaged or destroyed during excavation and grading.**

The project area has been heavily disturbed during over 100 years of urban development. As discussed in the Environmental Setting section, portions of Capitol Park were once terraced, but have since been heavily graded. In addition, portions of the City have been raised above the original elevation. Historic, and possibly even prehistoric, resources could remain buried beneath City streets and Capitol Park. Excavation activities associated with construction of the vehicle arresting cables, planters and bollards could uncover such resources and damage or destroy them. Construction of the pavilions would not require extensive grading or excavation. Therefore, it is anticipated that the only portion of the project that could potentially damage or destroy subsurface

resources is the vehicle barrier. This is considered a ***potentially significant impact***. Mitigation Measure 4.4-2 from the 1997 EIR would still be required.

#### Mitigation Measure

Implementation of the Mitigation Measure 4.4-2 from the 1997 EIR would reduce this impact to a *less-than-significant level*.

4.4-2 *In the event that any historic surface or subsurface archaeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, animal bone, shell, obsidian, mortars, or human remains, are uncovered during construction, work within 100 feet of the find shall cease and a qualified archaeologist shall be contacted to determine if the resource is significant.*

*If the find is determined to be of significance, resources found on the site shall be donated to an appropriate museum or cultural center.*

Compliance with Mitigation Measures 4.4-1 and 4.4-2 from the 1997 EIR would ensure that all proposed barrier and structure designs would meet the Secretary of the Interior Standards. In addition, if any historic or prehistoric features are identified or unearthed during project construction, Mitigation Measure 4.4-2 would ensure appropriate steps would be taken to minimize impacts. Therefore, compliance with Mitigation Measures 4.4-1 and 4.4-2 from the 1997 EIR would ensure potential impacts would be reduced to a ***less-than-significant level***.

---

---

### ***4.3 Aesthetics and Visual Resources***

---

---

---

## **4.3 AESTHETICS AND VISUAL RESOURCES**

---

### **INTRODUCTION**

This section of the Draft Supplement addresses visual quality issues related to the placement of the proposed vehicle arresting barrier around the State Capitol and the visitor pavilions. Existing visual characteristics of the State Capitol and the character of the surrounding environs are documented. The evaluation addresses potential effects of the project's modification to existing views of the Capitol Building and Capitol Park and the effects on the visual distinction of the State Capitol, which is a recognized aesthetic resource in downtown Sacramento. The NOP determined that there would be no project-related light and glare impacts (see Appendix A). Therefore, the visual quality analysis does not address this issue.

In response to the NOP, comments raised pertaining to visual resources included the use of landscaping to protect the site and to create an "invisible" barrier. No other comments addressing the visual aspect of the project were submitted.

The prior environmental setting included in the 1997 EIR is incorporated by reference in this Supplement. However, to assist the reader the information is re-printed below.

### **ENVIRONMENTAL SETTING**

#### **Downtown Sacramento**

The downtown Capitol area contains a variety of land uses and development types. The area is arranged in a grid of streets, blocks, and alleys, typical of downtown Sacramento. The presence of well-established street trees serves to further define the general visual character of the area. The State Capitol is the most noticeable landmark of the area, although extensive tree cover and the height of office buildings within a four to five block radius effectively block street-level views of the Capitol from most portions of the area surrounding the Capitol. Overall, the impression of the Capitol area is that of a mixed-use community, dominated by office and professional uses to the north and west, transitioning to residential neighborhoods in the southeast. The residential neighborhoods convey an impression of older mixed-use neighborhoods interspersed with low-rise and low scale commercial and retail uses. With the completion of the East End projects, the eastern border of Capitol Park is no longer residential, but is more similar to the office development to the north.

## **Existing Visual Character of the State Capitol and Capitol Park**

### **State Capitol**

The State Capitol consists of adjoining structures: the historic Classical Revival style Capitol, built between 1860 and 1874 and designed by Frederic Butler, now known as the "West Wing", and the East Wing, (Annex building) constructed from 1949 to 1952.<sup>1</sup> The Capitol Building is sited at the west end of the 34-acre Capitol Park.

The existing views of and around the State Capitol have been unchanged for a long period of time. Since the completion of the East Wing in 1952 (Annex), the last significant change to the Capitol's visual character, only minor landscaping changes, including the loss of some trees, has altered its appearance.

Long- and medium-distance views of the Capitol from surrounding areas include views from Capitol Mall, Capitol Avenue and 11th Street. The fullest visual affect of the Capitol is afforded by long-, medium-, and short-distance views from Capitol Mall to the west. Immediately adjacent streets provide views of the Capitol as well; however, these are limited to short-distance views and are often obscured by mature vegetation and landscaping. From the east, views of the Capitol itself tend to be limited, with the rotunda the predominant structure. Views of and through the Park are readily available from the east.

### **Capitol Park**

Capitol Park was designed with the intention of creating a distinct and aesthetically pleasing backdrop surrounding the Capitol Building. The landscape is characterized by abundant mature and ornamental tree plantings. Over 800 varieties of plants, including 50 separate species of trees, were planted in the Park over the past 100 years, many of which have reached their full maturity. Continual maintenance results in a consistent but evolving landscape. The original mixture of formal and informal plantings was intended to create a diverse open space in the middle of a highly urbanized downtown. The Washingtonian Palms that were planted to ring the Park create a strong and visually dominant border. These trees, as well as other mature trees, are an important contributing element in the overall image of the Capitol.

From some vantage points, the density and height of the vegetation in Capitol Park has gradually obscured the Capitol building as well as some surrounding buildings from certain vantage points. Along the south side of Capitol Park, the buildings have generally retained a lower height (80 feet) and are not readily visible from the Park. The notable exception to the screening effect is along two roadways. Along the L Street corridor, a fairly uniform row of high-rise structures exists between 13th and 15th Streets, and is clearly visible above and behind the trees. Also along 10th Street, high-rise office structures are readily viewed from the Capitol and Capitol Park.

The visual character of Capitol Park, especially along the edges, is highly dependent on the scale of the surrounding development. The Park currently provides a strong pedestrian element in the area

---

1 State of California, Department of General Services, Office of Project Development and Management, Draft Environmental Impact Report 1997 Capitol Area Plan, p. 5.7-6. March 1997, prepared by EIP Associates in association with Carey and Co. Inc.

and is heavily used in all seasons. It serves as a gathering place, both formal and informal, for residents, workers, and visitors, and is often a place for public speaking and political events. The Park serves as an effective visual barrier to the more intensive uses to the north and west of the Park and State Capitol.

## **Regulatory Context**

### **State of California**

The Capitol View Protection Act, set forth in statute, provides regulatory requirements that are relevant to the visual evaluation of the proposed Safety and Security Improvements project. In addition, the Capitol Area Plan (CAP) was updated and adopted in 1997, and contains land use principles and design guidelines for new development in the Capitol area. The applicability to the project, the 1997 CAP, and the Capitol View Protection Act is discussed below.

#### **Capitol View Protection Act**

The Capitol View Protection Act, passed in 1992, establishes height and setback restrictions for a number of specific locations throughout the Capitol area in order to maintain the visual prominence of the State Capitol building and to protect the values of historic buildings. The Act provides for specific height limits for new building construction ranging from 80 feet to 250 feet and setbacks ranging from 15 feet to 30 feet. The Act does not, however, address height limits, setbacks or other elements for streetscape structures, such as the proposed fence. For this analysis, the Capitol View Protection Act is discussed because it provides some level of policy direction established by the State Legislature regarding the importance of the view of the Capitol to the surrounding area.

#### **1997 Capitol Area Plan**

The 1997 CAP includes two chapters that apply to the Proposed Project; Chapter 6, Open Space and Public Amenities, which seeks to enhance the area's open spaces, commensurate with their functional and symbolic role in the Capitol area, and Chapter 11, Urban Design Guidelines, which provides guidelines intended to promote the Capitol area's identity while fostering an environment that is conducive to living, working and visiting.

##### *Chapter 6 Open Space and Public Amenities*

This chapter of the 1997 CAP identifies Capitol Park as a major landmark and point of destination for residents, employees and visitors. In relation to the State Capitol Building and Capitol Park, there are three major view corridors identified in the 1997 CAP: the view west toward the Capitol Building from Capitol Mall; the view east toward Capitol Park from Capitol Avenue; and the view north toward the Capitol Building from 11th Street. Principles that apply to the Proposed Project and these major view corridors are as follows:



- |             |  |
|-------------|--|
| Principle 1 | Protect the historic value and role of the Capitol Park as an arboretum and a public gathering place.  |
| Principle 4 | Ensure a streetscape that enhances the Capitol Area's identity and uniqueness, is responsive to the needs of pedestrians and the requirements of adjacent activities, and orients visitors to destinations and services within the Capitol Area. |

### *Chapter 11 Urban Design Guidelines*

According to the 1997 CAP, the Urban Design Guidelines are advisory and non-prescriptive and should be used to facilitate review of development proposals. Although intended to address new building development, the guidelines do offer assistance in relation to the streetscape and views surrounding the Capitol Building and Capitol Park. Applicable guidelines are as follows:

- |             |   |
|-------------|---|
| Guideline 1 | Maintain the State Capitol Building as the focus of the Capitol Area. |
| Guideline 5 | Promote harmony between the old and the new.                          |

Guideline 1 states that the Capitol Building should be maintained as the physical and visual focus of the Capitol Area. Although steps to help implement this guideline relate to new building construction, the guideline does encourage streetscape design that promotes views to the State Capitol. Tree planting and signage should reinforce vistas to the Capitol and not obstruct views of the dome. Additionally, medians along streets with views of the Capitol should not include tall plantings. Guideline 5 provides that new development, including streetscape elements, should be respectful of and harmonize with the old architectural styles. Guideline 8 specifically addresses Capitol Avenue since it is considered the eastern gateway to the Capitol area and Capitol Park. This guideline provides that streetscape design should protect views of the Capitol Building; if a median is provided, it should be planted with grass or low plants only.

### **City of Sacramento**

Although the State has jurisdiction over the development of all state-owned property, the City of Sacramento has a Capitol View Protection Ordinance that limits heights and regulates building design in the area surrounding the State Capitol. The ordinance is applied to development projects requiring City approval, therefore it would not be applied to the Proposed Project. The ordinance is addressed in this analysis for informational purposes. Similar to the State's Capitol View Protection Act, the City's Ordinance addresses new buildings rather than streetscape design. The ordinance provides for specific height restrictions, setback requirements and parking, none of which directly applies to the Proposed Project. The purpose of the ordinance, as with the State's Act, is the protection of views to and from the Capitol Building and Capitol Park.

## **IMPACTS AND MITIGATION MEASURES**

### **Methods of Analysis**

#### **Visual Sensitivity**

Sensitivity to change in the visual environment varies from person to person. Because human perception is integral to determining the visual quality of an area or project, individual tastes can

influence aesthetic choices. As a result, few objective or quantitative standards exist. An adverse visual impression to one person may be viewed as beneficial by another. Therefore, the perception and evaluation of change in the visual environment can differ from person to person according to a number of factors.

Within the analysis, viewer groups with potential visual exposure to the project are identified and their sensitivity evaluated based upon criteria such as viewer activity, extent and duration of visual exposure, viewer number, and other relevant factors. The degree of visual change as seen by various viewing groups is then assessed and evaluated in terms of the degree of compatibility in visual character and quality with the existing setting. The degree of visual change can be measured and described in a reasonably objective manner in terms of visibility and visual contrast, dominance, and magnitude. For the purposes of this analysis, individuals who live or work in the immediate area of the Capitol, or who use the Capitol for recreation, leisure or other activities would be considered sensitive to visual changes occurring from the project due to the duration of their exposure to any change, their familiarity with the existing landscape, and their ability to easily detect change.

### **Photosimulations**

Photosimulations were prepared to show the Proposed Project in the existing visual environment from various different vantage points. Figure 4.3-1, Key Map, illustrates the location each photo was taken, and the direction of the photo. Figures 4.3-2 through 4.3-11 illustrate existing conditions at each site that a photosimulation was prepared. Figures 4.3-12 through 4.3-21 illustrate the photosimulations and are located at the end of this section.

- Figures 4.3-2 and 4.3-12: Looking north towards the State Capitol from 11<sup>th</sup> and N Streets;
- Figures 4.3-3 and 4.3-13: Looking south towards the State Capitol from 11<sup>th</sup> and L Streets;
- Figures 4.3-4 and 4.3-14: Looking southeast towards the north entrance to the State Capitol/Annex Building
- Figures 4.3-5 and 4.3-15: Looking east towards the north entrance to the State Capitol/Annex Building;
- Figures 4.3-6 and 4.3-16: Looking east towards the south entrance to the Capitol/Annex Building;
- Figures 4.3-7 and 4.3-17: Looking north towards the south entrance to the Capitol/Annex Building;
- Figures 4.3-8 and 4.3-18: Looking east towards the State Capitol from Capitol Mall and 10<sup>th</sup> Street;
- Figures 4.3-9 and 4.3-19: Looking east near 11<sup>th</sup> and L Streets;
- Figures 4.3-10 and 4.3-20: Looking northwest along 10<sup>th</sup> Street towards Capitol Mall; and
- Figures 4.3-11 and 4.3-21: Looking southwest towards 11<sup>th</sup> and N Streets from Capitol Park.

The photosimulations prepared for this project do not represent all possible viewpoints, but are used to help illustrate potential project impacts.

Figure 4.3-1

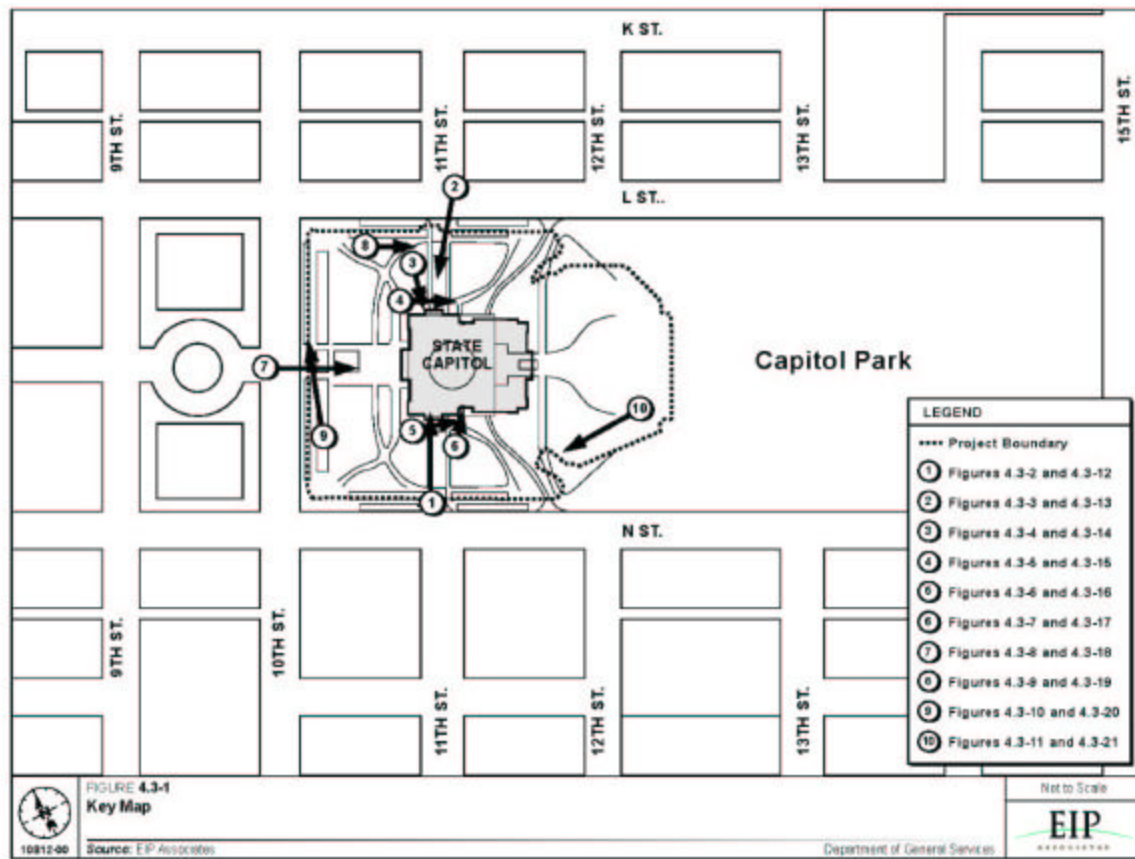


Figure 4.3-2 and 4.3-3



**FIGURE 4.3-2**  
**Existing Conditions: Looking north towards the State Capitol from 11th and N Streets**



**FIGURE 4.3-3**  
**Existing Conditions: Looking south towards the State Capitol from 11th and L Streets**

|          |   |   |
|----------|---|---|
| 10812-00 | Source: William Kanemoto & Associates, 2004 |  |
|----------|---|---|

Figure 4.3-4 and 4.3-5



**FIGURE 4.3-4**  
Existing Conditions: Looking southeast towards the north entrance to the State Capitol/Annex Building



**FIGURE 4.3-5**  
Existing Conditions: Looking east towards the north entrance to the State Capitol/Annex Building

|          |   |   |
|----------|---|---|
| 10812-00 | Source: William Kanemoto & Associates, 2004<br>Department of General Services |  |
|----------|---|---|



Figure 4.3-6 and 4.3-7



**FIGURE 4.3-6**  
**Existing Conditions: Looking east towards the south entrance to the Capitol/Annex Building**



**FIGURE 4.3-7**  
**Existing Conditions: Looking north towards the south entrance to the Capitol/Annex Building**

|          |   |   |
|----------|---|---|
| 10812-00 | Source: William Kanemoto & Associates, 2004<br>Department of General Services |  |
|----------|---|---|

Figure 4.3-8 and 4.3-9



**FIGURE 4.3-8**  
**Existing Conditions: Looking east towards the State Capitol from Capitol Mall and 10th Street**



**FIGURE 4.3-9**  
**Existing Conditions: Looking east near 11th and L Streets**

|          |   |   |
|----------|---|---|
| 10812-00 | Source: William Kanemoto & Associates, 2004 |  |
|----------|---|---|



Figure 4.3-10 and 4.3-11



**FIGURE 4.3-10**  
**Existing Conditions: Looking northwest along 10th Street towards Capitol Mall**



**FIGURE 4.3-11**  
**Existing Conditions: Looking southwest towards 11th and N Streets from Capitol Park**

|          |   |   |
|----------|---|---|
| 10812-00 | Source: William Kanemoto & Associates, 2004 |  |
|----------|---|---|

Department of General Services



### **Standards of Significance**

The CEQA Guidelines set forth specific criteria for determining significant visual impacts. A project is considered to have a significant visual impact if it would “[h]ave a substantial adverse effect on a scenic vista,” “[s]ubstantially damage scenic resources,” or “[s]ubstantially degrade the existing visual character or quality of the site and its surroundings.” (CEQA Guidelines, Appendix G, paragraph I).

In identifying adverse visual impacts, none of these guidelines provides universally applicable thresholds of significance. The evaluation of visual impacts reflects both the degree of visible physical *change* a project will create, the *compatibility* of character and quality of the change in relation to the existing setting, the *quality* and value of the existing setting, and the *sensitivity* of viewers exposed to the project. The analysis of the Proposed Project characterizes the degree of visible change likely to be experienced by various groups and provides the reasoning and assumptions underlying judgments on the degree of project compatibility, resulting visual quality, viewer sensitivity, and ultimately, impact significance.

Conflict with the adopted environmental plans and policies of the community where the project is located may also be the basis for a finding of significant adverse impact. This is particularly so in the case of policies that clearly indicate a high level of visual sensitivity to particular visual/aesthetic changes.

These same criteria form the basis for evaluation of cumulative impacts as well, but are applied to the potential combination of the effects of the Proposed Project with those of reasonably foreseeable future projects, as seen from within the same affected viewshed.

Construction on State-owned property is not subject to City of Sacramento rules and regulations; however, the State will consider the City of Sacramento's Capitol View Protection Ordinance in this analysis because it provides some policy direction regarding the importance of the views of the Capitol to the community.

For the purpose of this Supplement, an impact is considered significant if the Proposed Project could:

- ? Substantially alter public views of, or from, the Capitol building and Capitol Park; or
- ? Conflict with Guidelines 1 and 5 of the State Capitol View Protection Act, the 1997 Capitol Area Plan, or the City of Sacramento Capitol View Protection Ordinance.

### **Impacts and Mitigation Measures**

#### **4.3-1 The Proposed Project could substantially alter existing street-level views of the project area.**

The Capitol Building and Capitol Park are used by numerous people and various groups throughout a typical day. These people and groups include employees, residents and visitors of the Capitol area, and events such as weddings, political rallies or protests, and festivals on Capitol Park. Activities that take place include walking or jogging throughout the Park's sidewalks/pathways and along

surrounding roadways, and picnicking/lunching on lawn areas. The Capitol Building and Capitol Park can also be seen from adjacent businesses and restaurants along L and N Streets.

Currently, the street-level views from 10th to 13th Streets in the project area are open and expansive, with little to no interruptions in views to and from the Capitol Building and Capitol Park with the exception of mature trees and shrubs. In many locations around Capitol Park, existing views of the Capitol are partially blocked by vegetation, particularly the views from 10th Street. The visual setting can be characterized as informal or casual and park-like, despite the area being the grounds of the State Capitol.

The people that use the Capitol grounds daily, such as employees and residents of the area, have different sensitivities and expectations than visitors to the Capitol area. Although the presence of bollards, planters, vehicle arresting cable, additional landscaping and benches would be elements between pedestrians and the Capitol Building, views to the Capitol Building would not be blocked because all of these elements would be less than 4-feet in height, as shown in Figures 4.3-12, 4.3-13, 4.3-18, 4.3-19, 4.3-20, and 4.3-21. The planters would be 30-inches tall and the vehicle arresting cables and bollards would be no more than 4-feet tall, as well as the benches. In addition, any new landscaping would use low-scale plants and shrubs. Therefore, visibility and awareness of the Capitol Building would be retained, and the viewing expectations of visitors would not be significantly affected. It is not anticipated that the expectations of people who use the project area on a daily basis would be affected because all of these elements are designed to be unobtrusive and to blend into the existing environment.

In addition to the bollards, planters and vehicle arresting cable, the project also includes two visitor pavilions to be constructed at the north and south entrances into the Capitol building where the Capitol and the Annex join together. The proposed visitor pavilions are glass-enclosed structures with a building height of 15-feet. The structures accommodate approximately 2,000 square feet and would be used by visitors and staff entering the building. As shown in photosimulation Figures 4.3-14 through 4.3-17, the pavilions are visible from L and N Streets, respectively. Viewed from N Street the pavilion to access the south entrance is partially blocked by two mature redwood trees (see Figure 4.3-17). Views of the pavilion from L Street are also partially blocked by three mature redwood trees (see Figure 4.3-14). Because the pavilions are so low scale in comparison to the Capitol building and because the structure is essentially glass it appears to be transparent, views of the Capitol are not substantially impacted by the pavilions.

Therefore, street level views of the Capitol building are not adversely affected due to the proposed landscape elements or visitor pavilions. This is considered a ***less than significant impact***.

#### Mitigation Measure

4.3-1 None required.

#### **4.3-2 The proposed security fence could conflict with provisions and intent of the State Capitol View Protection Act and 1997 Capitol Area Plan.**

Although the State Capitol View Protection Act and the City of Sacramento's Capitol View Protection Ordinance do not specifically address street-level changes near the Capitol, such as the proposed vehicle barrier, and focus rather on new building heights and setbacks, the main intent of

both of these regulations is to maintain the historical and visual prominence of the Capitol Building. The 1997 CAP includes principles and guidelines that serve to enhance the street-level experience in and around the Capitol Building and Capitol Park. In addition, the 1997 CAP addresses the importance of visual connections to and from the Capitol Building and Capitol Park from surrounding major view corridors.

#### *Major View Corridors*

The 1997 CAP identifies three major view corridors: the view west toward the Capitol Building from Capitol Mall; the view east toward Capitol Park from Capitol Avenue; and the view north toward the Capitol Building from 11th Street. Capitol Mall provides a 100-foot wide boulevard with a grass median that leads from the Sacramento River to Capitol Park, providing formal views to the Capitol Building. Similarly, Capitol Avenue, which continues along the same east-west axis, provides an opportunity for framing vistas from the east. 11<sup>th</sup> Street provides direct visual connection and formal views between the State Capitol and the rest of the Capitol area. Tree lined views of the south side of the Capitol building are provided from 11th Street, which is considered the major north-south axis in the Capitol area. Figure 4.3-18 and Figure 4.3-20 provide photosimulations of views of the proposed vehicle barrier within the existing visual environment from Capitol Mall and 10<sup>th</sup> Street. Simulated views from the east have not been prepared, but vegetation from Capitol Park generally obscures eastern views of the Annex and Capitol from surrounding streets.

Looking east from Capitol Mall, the most visually prominent of the project elements would be the proposed 30-inch high planter surrounded by low shrubs (see Figure 4.3-18), and the proposed 4-foot high bollards. The visitor pavilions would not be visible from this direction. The planter would be located between the bollards providing a physical barrier to any vehicles attempting to access the grounds through this entrance. Low growing plants are proposed to be used in the planter, consistent with Guideline #1; therefore, they would not have the potential to block views of the Capitol Building. However, these elements are centered in the foreground of the Capitol Building and would be a noticeable change to the existing viewshed. Although the planter is not historically consistent with the original fence, it would be consistent with Chapter 11 Guideline 5, which encourages harmony between the old and new.

The Capitol Building should be the focal point of this viewshed. Neither the planter nor the bollards would obstruct views of the Building. Therefore, the project would not conflict with Guideline 1 of the 1997 CAP.

As shown on Figure 4.3-12, views from 11th Street would be similar to those described from Capitol Mall. The most prominent addition to the visual environment would be the proposed planter and bollards. However, views from 11th Street would also include the visitor pavilion (south entrance) set off to the east. Although views of the Capitol Building would not be obstructed by any part of the project, the planter, bollards and visitor pavilion could provide a visual distraction drawing initial attention away from the Capitol Building. However, because a series of individual concrete planters exist currently along the sidewalk as well as concrete barriers, the view of the proposed planter and bollards would not be very different compared to existing conditions. This same effect would occur from the north side of the project area along L Street, except no concrete barriers exist along the north side of 11th Street.

*Conclusion*

Because the viewsheds to the Capitol Building would not be obstructed or blocked by the project, an individual's current impression of the Capitol Building would remain vivid and the overall integrity of the three major view corridors would be maintained. As such, there would be no direct conflict with the State Capitol View Protection Act or the City's View Protection Ordinance and the impact is considered ***less than significant***.

Mitigation Measure

4.3-2 None required.

Figure 4.3-12



Figure 13



Figure 14

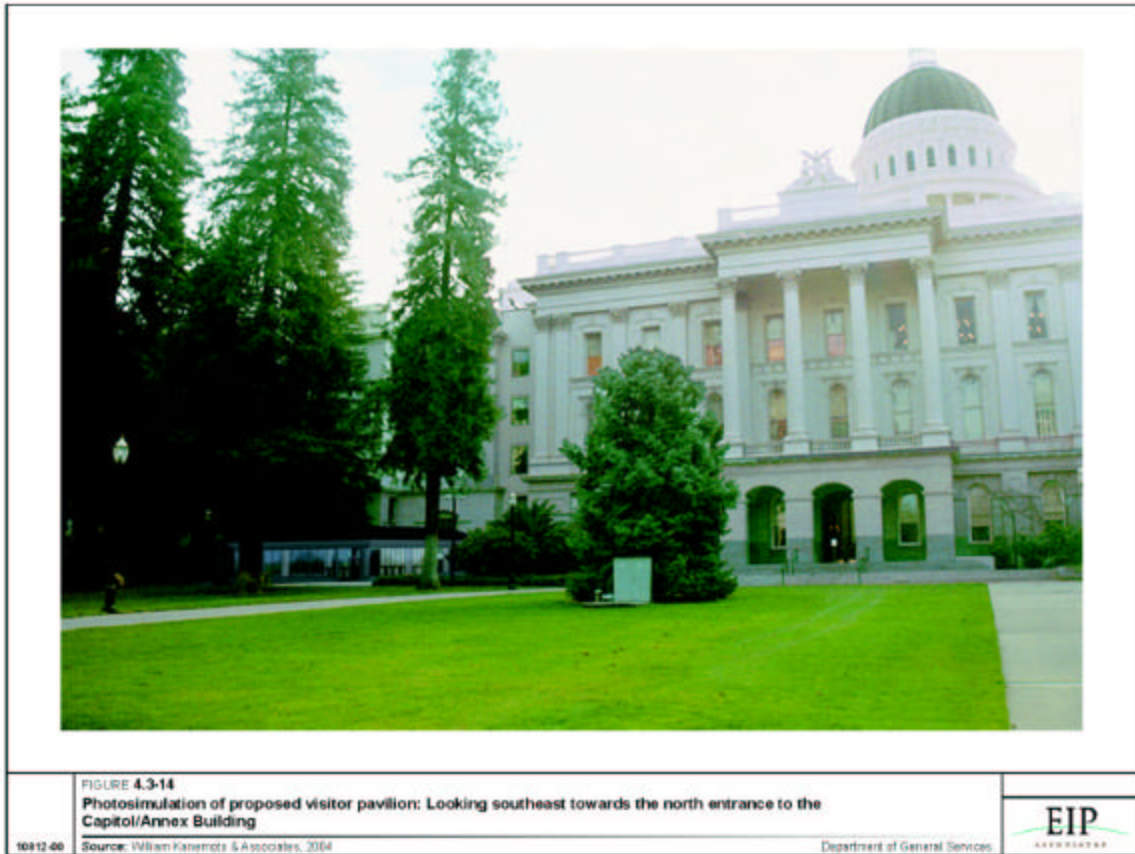




Figure 15





Figure 16

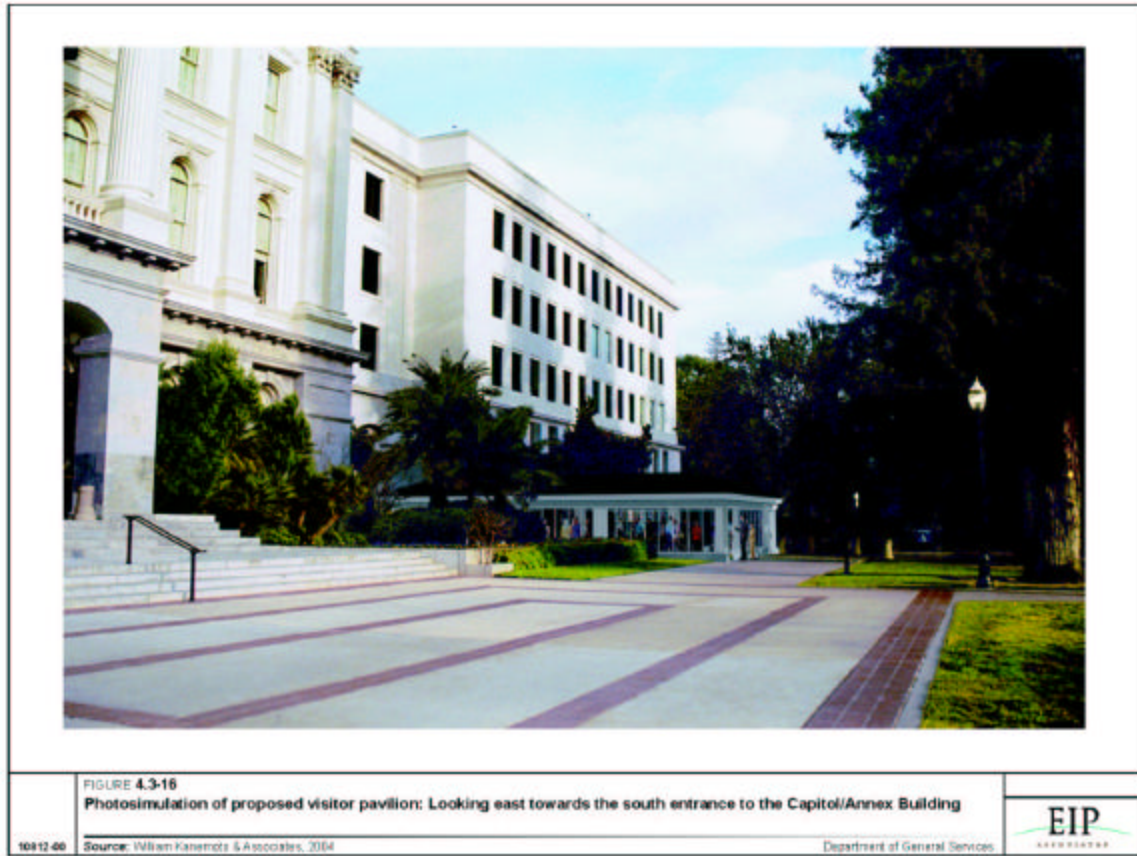


Figure 17



Figure 18



Figure 19





Figure 20



Figure 21



---

---

## ***5. ALTERNATIVES***

---

---

---

---

## **5.0 ALTERNATIVES**

---

---

### **INTRODUCTION**

The primary intent of the alternatives evaluation in an EIR, as stated in § 15126.6(c) of the CEQA Guidelines, is to ensure that “the range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects.” An EIR must describe a range of reasonable alternatives to the proposed project (or to its location) that could feasibly attain most of the basic objectives of the project. The feasibility of an alternative may be determined based on a variety of factors including, but not limited to, site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and site accessibility and control (CEQA Guidelines § 15126.6(C)(f)(1)).

Section 15163 of the CEQA Guidelines states that a “supplement to an EIR need contain only the information necessary to make the previous EIR adequate for the project as revised.” This Supplement was prepared to analyze any new impacts associated with the new vehicle barrier and visitor pavilions that were not included in the 1997 EIR. Only one new significant impact was identified associated with this new project. The alternatives analysis prepared for the prior EIR is still adequate for the purposes of CEQA; therefore, the prior alternatives analysis is summarized and incorporated by reference in this document. This section updates that analysis to reflect the Proposed Project.

The choice of alternatives is guided primarily by the need to reduce or eliminate project impacts and to achieve project objectives. The objectives of the project are included below.

### **Project Objectives**

The following objectives will guide development of the Proposed Project:

- Provide for greater public safety in and around the State Capitol and on Capitol Park grounds.
- Provide for protective vehicle barriers around the State Capitol Building to protect the historic building, State employees, and visitors.
- Maintain public access to the State Capitol and Capitol Park grounds.
- Develop two permanent structures for security screening at both the north and south entrances to provide protection from the elements for visitors and employees.
- Increase wayfinding and visibility of public entranceways into the State Capitol building.



- Improve ingress and egress from Capitol buildings.
- Provide protective vehicle barriers and structures for security screening that honor the historic context of the State Capitol Building, Capitol Park, and Capitol Annex Building.
- Improve waiting conditions (climate-controlled environment) during screening procedures for visitors and employees waiting to access the Capitol building (via the north and south entrances).

The same as the 1997 EIR, no project-specific significant and unavoidable impacts were identified as part of the Proposed Project.

The 1997 EIR analyzed the following project alternatives:

- **Alternative 1, No Project/No Action.** Under the No Project/No Action Alternative, no portion of the proposed Capitol Park Safety and Security Improvement project would be constructed. This includes the proposed fence, gate posts, bollards, as well as the changes to the driveways into the State Garage, the extension of the curb on 10th Street, and the additional lighting along the 13th Street Walkway. Under this alternative, the Capitol would remain unchanged from its current conditions.
- **Alternative 2, Historic Alternative.** Under the Historic Alternative, much of the design elements would be the same as those identified for the (prior) proposed project, including the proposed wall with fencing on top, bollards, and gate posts. The primary difference between this alternative and the 1997 project west of the State Capitol Driveways would be the alignment of the fence in front of the Capitol along L, 10th, and N Streets. Under this alternative, the fence would be placed adjacent to the City's sidewalk. In addition, this alternative would not include a raised planter bed in front of the Capitol along L, 10th, and N Streets, but would instead move the gate posts closer and increase the grass area behind the wall. Under this alternative, the fence would only be in front of the Capitol west of 11th Street. East of 11th Street, bollards would be placed adjacent to the City's sidewalk along the historic alignment. However, unlike the proposed project, chains would be placed between the bollards connecting to a ring on top of each bollard. This is consistent with the design and function of the bollards prior to 1950.
- **Alternative 3, Modified Historic Alternative.** The Modified Historic Alternative would be similar to the Historic Alternative, but would extend the fence eastward in line with the Capitol Annex. In this area, the Modified Historic Alternative would extend the solid wall topped with the ornate fencing along the City sidewalk west of 12th Street and the Capitol Garage driveways. East of the driveways, the bollards would be placed adjacent to the City sidewalk and along the 13th Street Walkway; however, the bollards would not be connected by a chain under this alternative. In addition, this alternative would include the reconfiguration of the Capitol driveways, the 10th Street curb extension, the security fence along the driveways and a portion of the east side of the Capitol, and the addition of more lights along the 13th Street Walkway as shown in the 1997 project.

- **Alternative 4, Bollards Only Alternative.** The Bollards Only Alternative would contain most of the same project elements and alignment as the Modified Historic Alternative. This alternative would differ, however, from the Historic Alternative and the Modified Historic Alternative by replacing the fence structure with bollards, thus resulting in bollards being placed around the entire project area. No additional grass areas, gate posts, or walls would be constructed under this alternative. Each bollard would be a maximum of five feet apart, would be free standing, and would not include a chain connecting it to the next bollard. Similar to the Modified Historic Alternative, east of the driveways, the bollards would be placed adjacent to the City sidewalk and along the 13th Street Walkway. In addition, this alternative would include the reconfiguration of the Capitol driveways, the 10th Street curb extension, the security fence along the driveways and a portion of the east side of the Capitol, and the addition of more lights along the 13th Street Walkway as shown in the 1997 EIR.

The primary intent of the alternatives analysis is to disclose other ways that the objectives of the project could be attained while reducing the magnitude of, or avoiding, the environmental impacts of the proposed project. Alternatives that are included and evaluated in the EIR must be feasible alternatives. However, the Public Resources Code and the CEQA Guidelines direct that the EIR need "set forth only those alternatives necessary to permit a reasoned choice." The CEQA Guidelines provide definition for "a range of reasonable alternatives" and, thus, limit the number and type of alternatives that may need to be evaluated in a given EIR. According to the CEQA Guidelines:

The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determined could feasibly attain most of the basic objectives of the project.<sup>1</sup>

Alternatives in an EIR must be feasible. In the context of CEQA, "feasible" is defined as:

Under CEQA, "[a]n EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decisionmaking and public participation. An EIR is not required to consider alternatives which are infeasible." (CEQA Guidelines, § 15126.6, subd. (a).) In the context of CEQA, "[f]easible' means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." (CEQA Guidelines, § 15364.)

Further, the following factors may be taken into consideration in the assessment of the feasibility of alternatives: site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and the ability of the proponent to attain site control.<sup>2</sup> Finally, an EIR is not required to analyze alternatives when the effects of the alternative "cannot be reasonably ascertained and whose implementation is remote and speculative."<sup>3</sup>

---

1. State of California, CEQA Guidelines, Section 15126.6(d)(5).  
 2. State of California, CEQA Guidelines, Section 15126(d)(5)(A).  
 3. State of California, CEQA Guidelines, Section 15126(d)(5)(C).

As part of the 1997 EIR process, the following alternatives were considered and rejected as infeasible or inconsistent with project objectives.

1. Placement of Additional CHP Officers Around State Capitol Perimeter;
2. Placement of Large Rocks and Landscape Changes;
3. Terracing and Retaining Wall Alternatives;
4. Modern Fence Alternative; and
5. Invisible Fence Alternative.<sup>4</sup>

As part of this Draft Supplement, a “no-pavilions” alternative has been considered. This alternative would consist of constructing the perimeter vehicle barrier as described in Chapter 3.0, Project Description; the alternative would eliminate, however, the visitor pavilions. This alternative has been rejected because it would not meet most of the basic objectives for the project. In particular, providing security screening at both the north and south entrances to the State Capitol; provide protection and improve waiting conditions for visitors and employees in a climate-controlled environment during screening procedures. Moreover, such an alternative would not avoid or substantially lessen any impacts of the project, because there are no impacts associated with construction of the pavilions.

The following is a brief summary of the project alternatives analyzed in the 1997 EIR (Please see Section 6.0 Alternative Analysis, pages 6-5 through 6-15, of the 1997 EIR).

**Historic Alternative** - There could be the potential for more conflicts to pedestrians, joggers and bicyclists on the adjacent City sidewalk under the Historic Alternative because the proposed wall would remove any buffer room adjacent to the City's sidewalk. The fence would also restrict pedestrian/jogger and bicyclist activity on N Street between 10th and 11th Streets.

Under this alternative, potential impacts to historic resources, visual resources and public utilities would be similar to what was analyzed under the 1997 proposed project.

Potential impacts to trees in and around the Park would be increased under this alternative, compared to the 1997 proposed project. Because the footing of the fence would be placed next to the City's sidewalk and could potentially disrupt the existing root systems of trees adjacent to the sidewalk.

**Modified Historic Alternative** - Under the Modified Historic Alternative, impacts would be similar to the 1997 EIR proposed project. However, because bollards would be used in the eastern portion of the site versus a fence more pedestrian/bicyclist access would be allowed compared to the 1997 proposed project.

Under this alternative, potential impacts to historic resources, visual resources and public utilities would be similar to what was analyzed under the 1997 proposed project.

Potential impacts to trees in and around the Park would be increased under this alternative, compared to the 1997 proposed project. Because the footing of the fence would be placed next to

---

4. Please see Section 6.0, Alternatives Analysis, pages 6-2 through 6-4, of the 1997 EIR.

the City's sidewalk and could potentially disrupt the existing root systems of trees adjacent to the sidewalk.

**Bollards Only** - The use of bollards would allow more access within the Park for pedestrians, joggers and bicyclists. This alternative would increase circulation; however, it would result in increased traffic congestion on local roadways, compared to the 1997 proposed project.

Potential impacts to historic and visual resources and public utilities would be similar to the 1997 proposed project.

It was determined that none of these alternatives would be feasible, meet the project objectives, or reduce the magnitude of, or avoid, the environmental impacts of the 1997 project.

All of these project alternatives analyzed previously are still applicable to the Proposed Project and are incorporated by reference. In addition to the alternatives previously analyzed, the Supplement will analyze two additional alternatives; No Project Alternative, and Historic Fence with Pavilions Alternative.

### **Alternatives Considered in this Supplement**

#### **No Project Alternative**

Under the No Project Alternative, no portion of the proposed vehicle barriers or visitor pavilions would be constructed. The State Capitol, Capitol Annex building and Capitol Park would remain unchanged from current conditions.

This alternative would not meet the project objectives. This alternative would not provide the California Highway Patrol with sufficient barriers to keep unauthorized vehicles off State Capitol Grounds, the safety and security issues would remain a significant concern for the State Capitol. In addition, the temporary tents would remain at the north and south entrances and security screening would continue to take place inside the Annex Building. State employees and visitors to the Capitol would not be provided with a sheltered area as they wait to gain access into the building.

#### **Historic Resources**

The No Project Alternative would not affect cultural or historic resources because no change would occur to the existing resources. Therefore, no impact to cultural and historic resources would occur when compared to the Proposed Project.

#### **Visual Resources**

The No Project Alternative would not include the construction of vehicle barriers or visitor pavilions; therefore, the same as the project, it would not interfere with existing views of the Capitol. Under the No Project Alternative, there would be no visual resource impacts for this alternative compared to the Proposed Project.

### **Historic Fence with Pavilions Alternative**

Under the Historic Fence with Pavilions Alternative, the historic fence proposed as part of the 1997 EIR would be constructed, with the exception of some modifications, to ensure it would provide the level of security required. The location of the proposed historic fence would essentially follow what was proposed originally with the exception of the eastern boundary. The fence would be constructed around the perimeter of Capitol Park along 10th, N, and L Streets along the outside edge of the State-owned walkways. The eastern boundary would follow the current vehicle barrier alignment, just east of the sidewalk that traverses the rear of the Annex building.

Under this alternative, the base of the fence would consist of 2-foot high by 2-foot wide solid wall made of pre-cast concrete. The top of the base would be sloped and topped with an ornate cast iron decorative fencing approximately a foot and a half high. The total fence height would be three feet eight inches. In addition, three new landscape planters would be placed at 10th and Capitol, L and 11th and N and 11th Streets. At the main pedestrian entry points the fence would connect to gate posts on both sides of each pedestrian entrance. The gate posts would be 11 feet 6 inches tall and approximately 4 feet wide on each side. Bollards would be placed between each of the pedestrian access points. In some instances the bollards would be retractable to allow vehicle access. The visitor pavilions, proposed as part of this Supplement, would be included in this alternative and would not change.

Any proposed changes to roadways included as part of the 1997 EIR are not included in this alternative.

#### Historic Resources

Under this alternative, a solid wall would be constructed around the perimeter of the Capitol Building to provide a vehicle barrier. The design would attempt to recreate the historic fence, constructed in 1883 and removed in 1952, that once surrounded the State Capitol. As determined in the 1997 EIR, inclusion of this historic fence would be consistent with the Secretary of Interior Standards for reconstruction and rehabilitation. However, the final design would need to be approved by SHPO to ensure it meets the standards.

The visitor pavilions would also be included under this alternative. As determined in Section 4.2, the visitor pavilions would also meet the Secretary of Interior Standards for rehabilitation.

Under this alternative, the impact to historic resources would be the same as the Proposed Project. Mitigation Measures 4.4-1 and 4.4-2 from the 1997 EIR would still be required.

#### Visual Resources

Under this alternative, a solid wall would be constructed around the perimeter of the Capitol Building. The overall visual effect would be to create a visual border around the State Capitol. The fence would not be tall enough to block views of the Capitol from the sidewalk; however, views would include the fence and would alter the existing visual environment due to its dominance. The large gate posts would also create large visual elements. Due to the change in views and the dominance of the fence it would be considered a significant and unavoidable impact.

The visitor pavilions would also introduce a new visual element. However, because the visitor pavilions are partially blocked due to mature redwood trees and do not affect views of the Capitol, nor from the Capitol, identical to the Proposed Project, the visual impact would be less than significant.

Under this alternative, the impact to visual resources would be more severe than the Proposed Project.

### **Environmentally Superior Alternative**

In addition to the discussion and comparison of impacts of the alternatives to the Proposed Project, CEQA requires that an "environmentally superior" alternative be selected and the reasons for such selection disclosed. In general, the environmentally superior alternative is the alternative that would be expected to generate the least adverse impacts. CEQA requires that if the No Project Alternative is the environmentally superior alternative, an additional alternative that is environmentally superior must be identified.

With the exception of the No Project Alternative, the alternatives included in this Supplement would result in generally similar environmental impacts. Impacts may differ between alternatives; however, the number of impacts are somewhat constant. As such, the identification of an environmentally "superior" alternative is not simply a matter of comparing the number of significant impacts. Designating a superior alternative depends in large part on what environmental effects one considers most important. For example, one alternative may have greater impacts on visual resources, while another may have greater impacts on historic resources. To suggest that one of these alternatives is environmentally superior assumes a particular set of values. This Supplement does not presume to make such a suggestion; rather, the determination of which impacts are more important is left to the reader and to the decision makers. In addition, because the project does not result in any significant and unavoidable impacts, the determination of an environmentally superior alternative that addresses this issue is difficult to determine.

Environmental impacts are not the sole consideration in determining whether to approve a project or an alternative to a project, or to disapprove a project. The decision-maker may also consider legal, social, technological or other factors. The purpose of the EIR is to ensure that environmental impacts are disclosed, and to ensure that the decision-maker takes those impacts into account in making a decision. In this case, the project, as mitigated, will not have any significant and unavoidable environmental impacts. Alternatives to the project are either environmentally comparable or would result in greater impacts. The no project alternative would not meet any project objectives. For this reason, the agency's decision may turn on factors other than the duty to avoid impacts under CEQA. The decision-maker's decision may turn on such issues as urban design, social factors, and fiscal considerations.

Because the no-project alternative would result in no impacts, that is the environmentally superior alternative. The no project alternative would not, however, meet any of the agency's objectives for the project. For the remaining alternatives, the following alternatives are environmentally comparable, and reflect the environmentally superior alternative: Alternative 2, Historic Alternative; Alternative 3, Modified Historic Alternative; Alternative 4, Bollards Only Alternative; and the Historic Fence with Pavilions Alternative.

---

---

## ***6. CEQA CONSIDERATIONS***

---

---

---

---

## **6.0 CEQA CONSIDERATIONS**

---

---

### **INTRODUCTION**

CEQA requires that an EIR contain an assessment of the cumulative impacts that could be associated with the Proposed Project. This assessment involves examining project-related effects on the environment in the context of similar effects that have been caused by past or existing projects, and the anticipated effects of future projects. Even when project-related impacts are individually minor, the cumulative effects of these impacts, in combination with the impacts of other projects, could be significant under CEQA and must be addressed [CEQA Guidelines, § 15130 and 15355(b)].

### **SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL EFFECTS**

Under CEQA, an EIR must analyze the extent to which a project's primary and secondary effects would commit resources to uses that future generations will probably be unable to reverse [CEQA Guidelines § 15126.2(c); 15127].

Implementation of the Proposed Project, in and of itself, consists of constructing a vehicle barrier around the State Capitol and constructing two visitor pavilions. The most notable significant irreversible impacts are increased generation of pollutants associated with project construction; and the short-term commitment of non-renewable and/or slowly renewable natural and energy resources, such as mineral resources and water resources during construction activities. These irreversible impacts, which are, as yet, unavoidable consequences of urban growth, are described in detail in the appropriate sections of this Draft Supplement.

### **GROWTH INDUCING IMPACTS**

#### **Introduction**

An EIR must discuss the ways in which a proposed project could foster economic or population growth in the vicinity of the project and how that growth would, in turn, affect the surrounding environment (see CEQA Guidelines § 15126 [g]). Growth can be induced in a number of ways, including through the elimination of obstacles to growth, or through the stimulation of economic activity within the region. The discussion of the removal of obstacles to growth relates directly to the removal of infrastructure limitations or regulatory constraints that could result in growth unforeseen at the time of project approval.

#### **Elimination of Obstacles to Growth**

The elimination of either physical or regulatory obstacles to growth is considered to be a growth-inducing effect. A physical obstacle to growth typically involves the lack of public service



infrastructure. The extension of public service infrastructure, including roadways, water mains, and sewer lines, into areas that are not currently provided with these services would be expected to support new development. Similarly, the elimination or change to a regulatory obstacle, including existing growth and development policies, could result in new growth. Construction of the perimeter barrier surrounding the Capitol building and the visitor pavilions are not anticipated to remove any physical obstacles to growth in the Capitol area, as the construction of the vehicle barrier, benches, landscape planters, bollards, and the visitor pavilions would not result in an elimination of or change to public service infrastructure resulting in a growth inducing impact.

### **Economic Effects**

Increased office and residential development typically generates a secondary or indirect demand for other services, which can induce additional growth. The Proposed Project involves the construction of a vehicle barrier and visitor pavilions. Because the Proposed Project would not increase the number of employees, residents or customers in the project area, it would not affect economic activity in the vicinity. Therefore, the Proposed Project would not induce growth.

## **CUMULATIVE IMPACTS**

### **Background**

CEQA requires the analysis of impacts due to cumulative development that would occur independent of, but during the same timeframe as, the project under consideration, or in the foreseeable future. By requiring an evaluation of cumulative impacts, CEQA attempts to minimize the potential that large-scale environmental impacts would be ignored due to the project-by-project nature of project-level analyses contained in EIRs.

Cumulative analyses need not be undertaken in the same manner as those aimed at evaluating the project under consideration. According to § 15130(b) of the CEQA Guidelines,

The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness, and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact. The following elements are necessary to an adequate discussion of cumulative impacts:

- (1) Either:
  - (A) A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or
  - (B) A summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact. Any such planning document shall be referenced and made available to the public at a location specified by the Lead Agency;

The CEQA Guidelines go on to recognize that by their nature cumulative impacts, and their respective mitigation measures, are not necessarily under the control of the lead agency, and may not necessarily be project specific in nature. Section 15130(c) of the CEQA Guidelines states:

With some projects, the only feasible mitigation for cumulative impacts may involve the adoption of ordinances or regulations rather than the imposition of conditions on a project-by-project basis.

For this project, a cumulative impact would require the proposal of similar projects that would exacerbate the adverse environmental impacts identified for the project. As noted in Chapter 3, Project Description, the State has planned improvements to the underground loading dock. These improvements are currently not funded, but are reasonably foreseeable in the near future. The project impacts are very local, so other projects that would contribute to cumulative impacts would need to be in the vicinity of the Capitol. No other projects have been identified, with the exception of the loading docks, that would worsen any of the anticipated impacts. Therefore, there are no cumulative impacts considered for the proposed Capitol Park Safety and Security Improvements Project.

### **SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL EFFECTS**

Under CEQA, an EIR must analyze the extent to which a plan's primary and secondary effects would commit resources to uses that future generations will probably be unable to reverse [CEQA Guidelines § 15126(f)].

Implementation of the Proposed Project would not result in the substantial commitment of any natural resources as all components of the project would be constructed of commonly accessible materials, such as cast iron, cement, and electrical wiring.

### **SIGNIFICANT UNAVOIDABLE IMPACTS**

According to CEQA Guidelines [§ 15126, subd. (b); § 21000, subd. (b).], a Draft EIR must include a description of those impacts identified as significant and unavoidable should the proposed action be implemented. These impacts are unavoidable because it has been determined that either no mitigation, or only partial mitigation, is feasible. This section identifies significant impacts that could not be eliminated or reduced to a less-than-significant level by mitigation imposed by the State. The final determination of significance of impacts and of the feasibility of mitigation measures would be made by the State as part of its certification action.

The potential environmental impacts that would result from implementation of the Proposed Project are summarized in Table 2-1 in Chapter 2.0, Summary. Impacts that have been identified would be less than significant after incorporation of the mitigation measures described in Table 2-1.

No significant and unavoidable impacts were identified.

---

---

## ***7. EIR AUTHORS AND REFERENCES***

---

---

---

## **7.0 EIR AUTHORS AND REFERENCES**

---

This Draft Supplement EIR has been prepared for:

State of California  
Department of General Services  
Real Estate Services Division  
Project Management Branch  
707 Third Street, Ste. 3-305  
West Sacramento, CA 95606

Project Manager

Michael Moore

### **EIP ASSOCIATES**

Project Director  
Project Manager  
Deputy Project Manager

Cathy McEfee  
Christine Kronenberg  
J.P. Francillette

### **EIR AUTHORS**

Cultural and Historic Resources

Brad Brewster, Carey & Company

Visual Resources

Christine Kronenberg, EIP Associates;  
William Kanemoto, William Kanemoto and Associates

Report Production

Alta Cunningham, Kris Olsen, Mike Altarriba,  
J.P. Francillette, EIP Associates

Graphics

James Songco, EIP Associates

### **LIST OF REFERENCES**

36 CFR Section 60.4, cited in Advisory Council on Historic Preservation, 1986b.

Advisory Council on Historic Preservation. *Fact Sheet: Working with Section 106*. Citation from 36 CFR 800.2(e).

California Office of Historic Preservation. *Historic Preservation in California: A Handbook for Local Communities*. December, 1986.

California State Library Foundation Bulletin, Number 8, 1984.

Carey & Company, Inc. *State Capitol and Park Security Improvement Project, Review for Compliance with the Secretary of the Interiors Standards.* January 2004.

EIP Associates. *Capitol Park Safety and Security Improvements Project Draft Environmental Impact Report.* SCH No. 97102015. December 1997.

National Park Service. National Register of Historic Places Inventory. Prepared August 15, 1972 and entered into register on April 3, 1973.

State of California. *California Environmental Quality Act (CEQA), §§ 21000-21178, Public Resources Code.* As amended January 1, 2003.

State of California. *Guidelines for CEQA, §§ 15000-15387, California Code of Regulations, Title 14, Chapter 3.* As amended December 1, 2002.

Vitetta Group. *Design Development Report: California State Capitol Improvements.* Sacramento, California. August 28, 1997, page 2.

---

---

## ***APPENDICES***

---

---

---

---

***Appendix A***

***Notice of Preparation***

---

---

NOTICE OF PREPARATION  
FOR A SUPPLEMENT  
TO THE  
CAPITOL PARK SAFETY AND  
SECURITY IMPROVEMENTS  
PROJECT EIR (SCH#97102015)

Prepared for:

State of California Department of General Services

Prepared by:

EIP Associates

June 27, 2003



---

**NOTICE OF PREPARATION  
FOR THE  
CAPITOL PARK SAFETY AND SECURITY IMPROVEMENTS PROJECT  
SUPPLEMENT**

---

**I. BACKGROUND**

1. Project Title: Capitol Park Safety and Security Improvements Project Supplement
2. Lead Agency Name and Address: Department of General Services  
Real Estate Services Division  
Project Management Branch  
P.O. Box 989052  
West Sacramento, CA 95798-9052
3. Contact Person and Phone Number: Lynne Rodrian  
(916) 376-1609  
Fax (916) 376-1606
4. Project Location: See Project Description

## II. PROJECT DESCRIPTION

### Introduction

This Notice of Preparation (NOP) has been prepared for a Supplement to the Capitol Park Safety and Security Improvements Project Environmental Impact Report certified in 1997 (SCH# 97102015). The project site is located on State-owned property within the incorporated limits of the City of Sacramento in Sacramento County. The Department of General Services (DGS) is the lead agency for the Supplement. The document is being prepared in compliance with the California Environmental Quality Act (CEQA) to evaluate impacts associated with the new components of the project.

CEQA Guidelines section 15082 states that once a decision is made to prepare an EIR, the lead agency must circulate a NOP to inform all responsible agencies that an EIR will be prepared for the proposed project. No EIR is being prepared; however, a Supplement to the *Capitol Park Safety and Security Improvements Project Draft Environmental Impact Report* (DEIR) is being prepared to analyze any potential impacts associated with the new security components of the originally proposed project. CEQA Guidelines section 15163 does not require that the lead agency circulate a NOP to inform all responsible agencies that a Supplement will be prepared; however, a NOP has been prepared to solicit any input from responsible and trustee agencies as well as interested parties to ensure all issues are addressed in the Supplement.

### CEQA Review

A Supplement may be used by a lead or responsible agency to make minor additions or changes to a previously certified draft or final EIR to make that EIR adequate for the project as revised. A Supplement may be circulated by itself without recirculating the previous EIR. The decision-making body deciding whether to approve a given project shall consider the previous EIR as revised by the Supplement (see CEQA Guidelines section 15163).

The DGS is conducting the environmental review for this project. This NOP is being circulated for 30 days. Written comments concerning the Supplement for the Capitol Park Safety and Security Improvements Project should be directed to Lynne Rodrian at the Department of General Services, Real Estate Services Division, Project Management Branch, P.O. Box 989052, West Sacramento, CA 95798-9052 (fax: 916-376-1606). Written comments on the scope of the Supplement will be accepted by the Department of General Services through **Monday, July 28, 2003, at 5:00 p.m.** In addition, a public meeting (charette) for this project will be held from 5:30 p.m. to 8:30 p.m. on Wednesday, July 16, 2003 at 1020 N Street, Room 100.

### Project Background

In March of 1996, the State, consulting with federal security officials, made recommendations regarding security and safety improvements to the State Capitol.

These recommendations included improvements to Capitol Park to protect the historic building and site, public visitors, and State employees working in or visiting the Capitol.

Based on these recommendations, conceptual design studies were first prepared in the spring of 1997. Several approaches to providing vehicle barriers around Capitol Park as well as a reconfiguration of the driveways into the underground parking garages were developed. After the conceptual designs were presented to the Capitol Security Policy Committee, which consists of representatives from the Governor's Office, Lieutenant Governor's Office, Assembly Rules, Senate Rules, and the California Highway Patrol, the Committee agreed that the conceptual designs should be further refined to be more consistent with the historic setting. This refinement process resulted in three design options that each included modern interpretations of the historic fence and bollards. Subsequently, one of these design options was selected as the preferred Capitol Park Security and Safety Improvements Project and analyzed in the *Capitol Park Safety and Security Improvements Project Draft Environmental Impact Report*. The EIR was certified in 1997 and the project approved. The reconfiguration of the driveways into the underground parking garages was completed; however, the security fence that was selected and analyzed was never constructed.

Due to an increased awareness and need for local and national security, the Capitol Park vehicle barrier concept has been revisited; modifications to the plans are being reviewed. The proposed perimeter vehicle barrier has been reduced from its original dimensions, and now a combination of landscape elements (bollards and landscape planters, etc.) are being proposed. In addition, two permanent structures (visitor pavilions) are proposed to serve as security checkpoints for the north and south entrances into the Capitol Building (described below under the Description of the Proposed Project).

The focus of the Supplement is on these proposed improvements to the State Capitol.

### **Project Location**

The State Capitol and Capitol Park are located in downtown Sacramento (see Figure 1). The proposed new safety and security improvements would be located entirely on the State Capitol Park grounds. Access to downtown Sacramento and Capitol Park is provided by Interstate 5 (I-5), the Capital City Freeway (Business 80), State Highway 275 (Capitol Mall), and State Highway 160. The Capitol Park area covers approximately 10 square city blocks and is bordered by 10th, 15th, L and N Streets. The project area, however, would follow the historic perimeter of the State Capitol Park grounds along 10th, L and N Streets, and the existing pedestrian walkway in line with 12th Street (see Figure 2). In addition, two permanent structures to be used for security screening facilities for checking persons desiring to enter the Capitol Building would be built at both the north and south entrances of the Capitol Building.

Figure 1

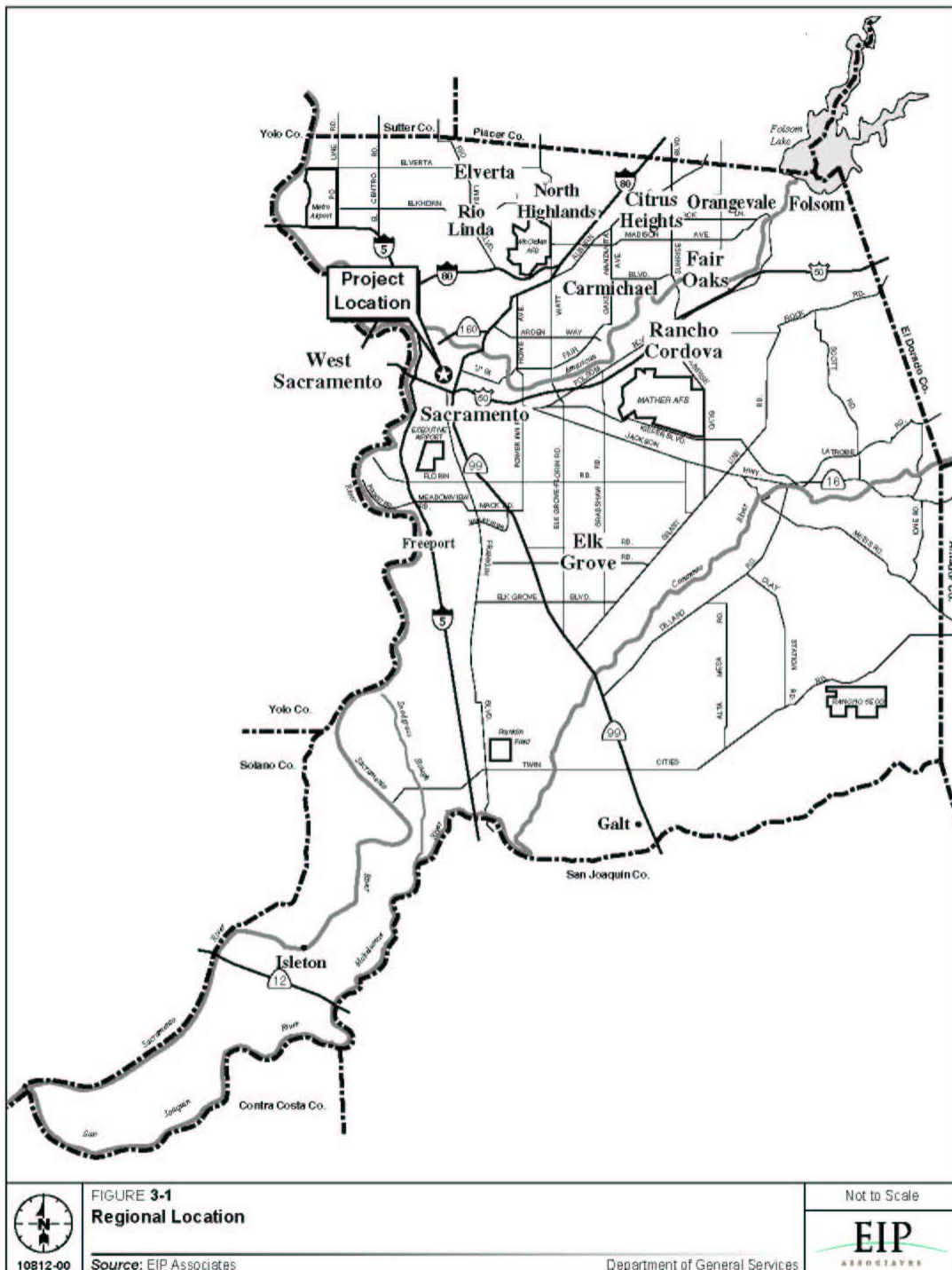
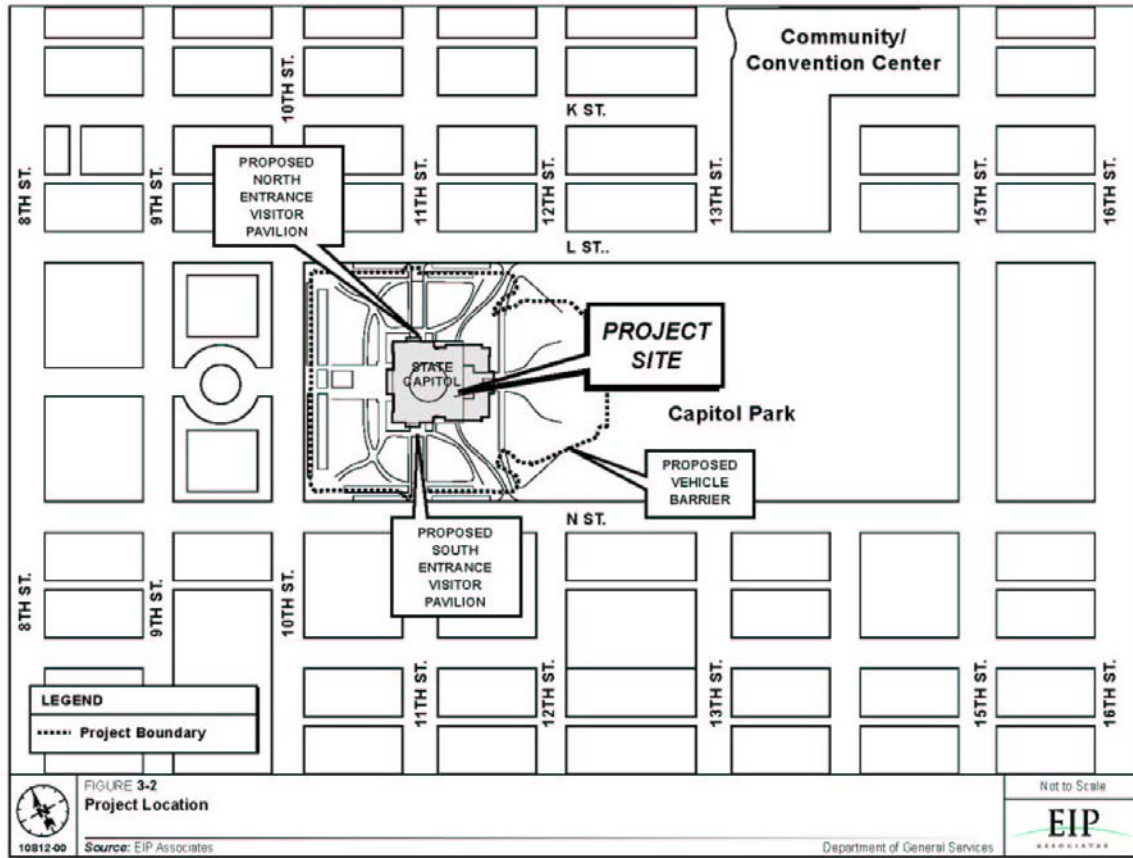


Figure 2



## **Existing Setting**

The State Capitol Building is set back nearly 200 feet from N Street, 10th Street, and L Street. The existing maintenance road that bisects the Capitol Park is approximately 400 feet east of the State Capitol Annex Building. Public vehicle circulation around the State Capitol is limited to the city streets, including 10th Street (one-way, northbound), L Street (one-way, westbound), 15th Street (one-way, southbound), and N Street (one-way, eastbound). Authorized employee and delivery vehicles can access the parking structure beneath the Capitol from L Street and N Street driveways (at 12th Street). For landscaping, maintenance, and event and media staging, some vehicles are authorized to access Capitol Park from the corners at 10th and N Streets and 10th and L Streets and drive on the pedestrian walkways.

Pedestrian access to the Capitol is provided through a series of walkways throughout Capitol Park, although pedestrians are not limited to these paths and can cross the grass landscaping at many locations. City of Sacramento sidewalks and palm tree planter areas border the entire Capitol Park. In the front portion of Capitol Park, L from 12th to 10th, 10th from L to N, and N from 12th to 10th Streets, a State sidewalk parallels the City's sidewalk. Residents on their way to or from the Community Center or Downtown Mall use the main pedestrian sidewalks that cut north to south through the park at 12th and 13th Streets after hours.

In light of recent terrorist events both locally and nationally, and the accompanying need for heightened security, temporary tents have been set up near both the north and south entrances of the Capitol Building. Security checks are done at the building entryways with line queuing in these tents for those who wish to enter the Capitol Building.

## **Project Objectives**

The following objectives will guide development of the new security improvements proposed:

- Provide for greater public safety in and around the State Capitol and on Capitol Park grounds.
- Provide for protective vehicle barriers around the State Capitol Building to protect the historic building, State employees, and visitors.
- Maintain public access to the State Capitol and Capitol Park grounds.
- Develop two permanent structures for security screening at both the north and south entrances to provide protection from the elements for visitors and employees.
- Increase wayfinding and visibility of public entranceways into the State Capitol building.

- Improve ingress and egress from Capitol buildings.
- Improve waiting conditions (climate-controlled environment) during screening procedures for visitors and employees waiting to access the Capitol building (via the north and south entrances).

### **Description of the Proposed Project**

The proposed new safety and security improvements (Proposed Project) consist of two phases: the first phase includes establishing a protective vehicle barrier around the State Capitol Building; the second phase includes constructing two permanent structures (visitor pavilions) at the north and south entrances to the Capitol Building to provide secure and protected locations for people waiting to go through security prior to accessing the Capitol Building. Other Capitol ground improvements related to security may be identified including modifications to the loading dock and receiving area. However, no funding has been identified for these modifications at this time. The Proposed Project would be located entirely on the State Capitol Park grounds.

The vehicle barrier aspect of the Proposed Project (first phase) would follow the historic perimeter of the State Capitol Park grounds along 10th, L and N Streets, and the existing pedestrian walkway in line with 12th Street (see Figure 2). At present, landscape elements (bollards and planters, etc.) are proposed to be used to create the protective vehicle barrier. It is anticipated this phase would be constructed sometime in late 2004.

The second phase, which includes the construction of two permanent structures (visitor pavilions) would provide a structure where people can wait protected from the elements for security screening prior to entering the building. The visitor pavilions would be located at the north and south entrances of the Capitol Annex building and would allow for permanent placement of the existing security screening equipment already in use at the north and south entrances to the Capitol Annex building. They would replace the temporary tent structures that presently exist. At this time it is not known when this phase of the project would be constructed. Funding has not yet been secured.

### **Scope of the Supplement**

Section 15163 of the CEQA Guidelines provides information on preparing a Supplement to a prior EIR if new conditions would require the preparation of a Subsequent EIR and, if these conditions would be minor additions or changes to make the previous EIR adequately apply to the project in the changed situation. The Supplement to the EIR need only contain the information necessary to make the previous EIR adequate for the project as revised. In this case, the Supplement will evaluate the effects of reducing the perimeter of the proposed vehicle barrier, as well as the modified vehicle barrier designs, and adding two permanent visitor pavilions, one on the north entrance and one on the south entrance.

As discussed in section 15021 of the Guidelines, public agencies are charged with the duty to avoid or minimize environmental damage where feasible. In discharging this duty, the public agency has an obligation to balance a variety of public objectives, including economic, environmental and social. The public agency is required to consider the information in this Supplement along with any other relevant information included in the public record in making its decision on the project (section 15121 of the Guidelines).

### **Summary of Impacts**

The Supplement will address the anticipated environmental impacts of the proposed changes. Therefore, at this time it is anticipated that the Supplement will address the operational impacts of the following issue areas:

- % Historic Resources, and
- % Aesthetics.

It is anticipated that significant impacts could occur in the following:

- Degradation or change in the existing visual character; and
- Change in the character of an existing historical resource.

It is anticipated that the prior EIR adequately addressed the following issue areas and impacts would be either no impact or less than significant; therefore, these issues will not be further addressed in the Supplement:

- Change in air traffic patterns;
- Conflict with applicable land use plans or policies;
- Convert Prime, Unique, or Important Farmland to non-agricultural use;
- Induce substantial population growth;
- Destroy a unique paleontological or geologic feature;
- Disturb any human remains;
- Expose people to hazards associated with seismic conditions;
- Result in soil erosion or the loss of topsoil;
- Be located on unstable or expansive soils;
- Emit hazardous emissions or handle hazardous wastes within ¼ mile of an existing school;
- Result in a safety hazard due to the proximity of a public airport or private airstrip;
- Violate water quality or waste discharge standards;
- Deplete groundwater supplies or alter existing drainage patterns;
- Place uses within a 100-year floodplain exposing people to increased hazards;
- Expose people or structures to wildland fires;
- expose people or structures to flood hazards, mudflows, seiche, tsunami, or dam or levee failure;
- Adversely affect biological resources;
- Result in the loss of any known mineral resources;



- Create a significant hazard to the public through transporting or disposing of any hazardous materials;
- Interfere with an adopted emergency response plan;
- Displace people or housing;
- Adversely affect the provision of public services;
- Exceed current wastewater treatment requirements;
- Result in the construction of new wastewater, drainage, or water supply facilities;
- Exceed capacity of a landfill;
- Result in an adverse effect on a scenic vista;
- Create a new source of light and glare;
- Damage or destroy archaeological resources.
- Hazards due to a design feature;
- Creation of objectionable odors;
- Exposure of people to excessive vibration or ground borne noise levels; and
- Exposure of people to excessive noise located near a public or private airport.

### **Schedule**

It is anticipated that construction on phase 1 would begin in late 2004. Construction of Phase 2 is unknown at this time because funding has not yet been secured.

### III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Aesthetics         | <input type="checkbox"/> Agriculture Resources                  | <input type="checkbox"/> Air Quality            |
| <input type="checkbox"/> Biological Resources          | <input checked="" type="checkbox"/> Historic/Cultural Resources | <input type="checkbox"/> Geology/Soils          |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality                | <input type="checkbox"/> Land Use/Planning      |
| <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Noise                                  | <input type="checkbox"/> Population/Housing     |
| <input type="checkbox"/> Public Services               | <input type="checkbox"/> Recreation                             | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems     | <input type="checkbox"/> Mandatory Findings of Significance     |   |

### IV. DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the applicant. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☒ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. A SUPPLEMENT to the prior Environmental Impact Report is required, but it must analyze only the effects that remain to be addressed.

- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR OR NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
For

---

*Appendix B*

*Comments Received on the NOP*

---

**DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**

P.O. Box 942898

Sacramento, CA 94298-001

(916) 657-7152

(800) 735-2929 (TT/TDD)

(800) 735-2922 (Voice)



**RECEIVED**

JUL 22 2003

Department of General Services  
EXECUTIVE OFFICE

July 8, 2003

File No.: 011.A11863.PSD.Capitol Security

J. Clark Kelso, Interim Director  
Department of General Services  
1325 J Street, Suite 1910  
Sacramento, California 95814-2928

Dear Director Kelso:

I have reviewed the "Notice of Preparation for a Supplement to the Capitol Park Safety and Security Improvements Project EIR (SCH #97102015)" distributed by the Department of General Services. Your cover memorandum indicates that the first phase of the proposed project, which involves the installation of a vehicle barrier system, would be constructed "sometime in late 2004."

Given that security concerns have dramatically evolved and continued to increase since initial recommendations were developed in 1996, I am vigorously opposed to any unnecessary delays in the implementation of the first phase of the project. To delay further would jeopardize the safety of the Capitol and hundreds of public employees and government officials who occupy its offices, chambers, and meeting rooms.

Additionally, changing the priority of the project phases would result in delaying installation of a vehicle barrier system and would be contrary to the priorities established by numerous security evaluations. I urge you to move ahead with diligence to install a barrier that will minimize the likelihood of a catastrophic event that could injure or kill many individuals or destroy a historical icon of California government.

Sincerely,

D. O. Helmick,  
Commissioner



## Christine Kronenberg

---

**From:** Rodrian, Lynne [Lynne.Rodrian@dgs.ca.gov]  
**Sent:** Monday, July 21, 2003 12:55 PM  
**To:** Christine Kronenberg; J.P. Francillette  
**Cc:** Cavanagh, Anne; Moore, Mike; Sleppy, Bob  
**Subject:** FW: Revised Capitol Park Safety and Security Improvement Project

Comments on the NOP from the Blvd. Park Neighborhood Association..

Lynne Rodrian, Senior Environmental Planner  
ESS/PSB/RESO  
916-376-1609  
916-376-1606 fax

-----Original Message-----

**From:** Rodrian, Lynne  
**Sent:** Monday, July 21, 2003 12:51 PM  
**To:** 'Rik & Jon'  
**Subject:** RE: Revised Capitol Park Safety and Security Improvement Project

Thank you. These comments will be considered on the NOP.

Lynne Rodrian, Senior Environmental Planner  
ESS/PSB/RESO  
916-376-1609  
916-376-1606 fax

-----Original Message-----

**From:** Rik & Jon [mailto:rikjon@earthlink.net]  
**Sent:** Monday, July 21, 2003 12:30 PM  
**To:** lynne.rodrian@dgs.ca.gov  
**Subject:** Revised Capitol Park Safety and Security Improvement Project

Lynne Rodrian  
California Department of General Services  
Real Estate Services Division  
Environmental Services Section

Lynne,

On behalf of the Boulevard Park Neighborhood Association, I hereby submit comments in response to the 27 June 2003 Notice of Preparation (NOP) of a Supplemental Environmental Impact Report for the subject project. Comment forms handed out at the July 16 workshop requested that comments be submitted in person or by mail. If e-mailed comments are not to be included in the record, please let me know right away.

Our concerns involve historic preservation and architectural integrity. Security measures for the Capitol building and grounds should be visually and historically compatible with this historic structure. As such, designs proposed for consideration for a perimeter security barrier to limit vehicle access should include the combination low wall topped by iron fencing included in the original approved 1997 Environmental Impact Report. This design is derived from and is architecturally compatible with a perimeter barrier structure that once encircled the historic Capitol Building. In understand that entry posts from that original barrier structure currently exist in the old portion of the City of Folsom.

Thank you for the opportunity to comment on this NOP. Please keep me informed about future developments on this project.

Sincerely,

Dr. Jon B. Marshack, Co-Chair  
Boulevard Park Neighborhood Association  
P.O. Box 1196  
Sacramento, CA 95812  
(916) 443-2557  
rikjon@earthlink.net



RECEIVED

JUL 28 2003

GENERAL SERVICES  
REAL ESTATE SERVICES DIVISION

PLANNING & BUILDING DEPT.

CITY OF SACRAMENTO  
CALIFORNIA

1231 I STREET  
ROOM 304  
SACRAMENTO, CA  
95814-2998

ENVIRONMENTAL  
PLANNING SERVICES  
916-264-2762  
FAX 916-264-5328

ENVIRONMENTAL  
CLEARINGHOUSE

July 25, 2003

Ms. Lynne Rodian  
Department of General Services  
Real Estate Services Division, Project Management Branch  
P.O. Box 989052  
W. Sacramento, CA 95798-9052

SUBJECT: NOP for a Supplement to the Capitol Park Safety and Security Improvements Project  
Supplement EIR (SCH# 97102015)

Dear Ms. Rodian:

The City of Sacramento, Environmental Planning Services, received the NOP for a Supplement to the Capitol Park Safety and Security Improvements Project Supplement EIR. The document was circulated through our Environmental Clearinghouse for comments. We are forwarding comments received to-date (Susanne Tam, Environmental Planning Services). We appreciate the opportunity to provide comments on the NOP and look forward to receiving a copy of the DEIR.

1. There are State guidelines concerning height and setback requirements for projects in and around the Capitol. Please be sure that the proposed project meets these guidelines.
2. The City of Sacramento also has requirements in the Zoning Code concerning the design of buildings around the area of the Capitol. Although these requirements would not apply to the proposed project (because the proposed project is not located within the area designated in the Zoning Code), these should be reviewed for future reference.

If you have any questions regarding our current comments, please do not hesitate to contact us.

Sincerely,

Dana Allen  
Associate Planner

cc: ECC file 03-009





## Cleaner Air Partnership

817- 14<sup>th</sup> St., Suite 100 Sacramento, Ca. 95814 916-447-4956 Fax 916-447-8687

July 28, 2003

Lynne Rodrian  
Department of General Services, Real Estate Division  
707 third Street, Suite 3-400 PO box 989052  
West Sacramento, California 95698  
VIA FACSIMILE 916-376-1606

NOP, Supplement EIR, Revised Capitol Park Safety and Security Improvements

Dear Ms. Rodrian:

I have noticed that the Capitol and associated buildings do not provide adequate, convenient bicycle parking for visitors. This is especially true on N Street but also seems to be true in the park. Bicycle parking facilities in this area are not of the same quality and quantity as are offered in commercial areas nearby. When I use my bike to get to appointments with Capitol staff or to attend hearings, I am faced with difficulties parking my bicycle.

The revised safety and security improvements project offers the opportunity to provide improved design and greater availability of visitor bicycle parking. The project may also interfere with or preclude future provision of such necessary facilities and/or bicycle access to the Capitol buildings. Please assess the project in terms of its impact on existing and potential visitor bicycle parking and bicycle access and use of the designated bike lanes.

The Capitol Area Plan policies encourage use of non-motorized transportation to improve regional and localized air quality and to reduce traffic congestion in the Capitol Area Plan Area. The Safety and Security Improvements Project EIR should consider the project in light of this policy.

Please note also that the sidewalks surrounding the Capitol are designated bike lanes. I am attaching more information on bicycle parking problems and parking solutions.

Thank you for your consideration of this issue in the SEIR.

  
Judith Lamare  
Project Manager

Judith [Jude] Lamare, Ph.D.

Consulting Political Scientist

817 - 14th Street, 100 Sacramento, California 95814 • 916-447-4956

Judith@sbccglobal.net

March 22, 2002

Assemblymember Dennis Cardoza  
Chief Administrative Officer Jonathon Waldie  
Assembly Rules Committee  
State Capitol  
Sacramento, Ca. 95814

Commissioner Dwight O. Helmick  
California Highway Patrol  
P.O. Box 942898  
Sacramento, CA 94298-0001

Dear Assemblyman Cardoza, Mr. Waldie and Commissioner Helmick:

I would like to lodge a complaint against the Assembly Sergeant at the Legislative Office Building at 10th and N and the CHP unit responsible for state office building protection. I also request a Joint Rules investigation into regulation of bicycle parking at LOB and the lack of adequate parking for bicyclists visiting the building.

On March 21, I had an appointment at LOB with Dave Jones, staff to Assemblymember Cardoza at 2 p.m. After that meeting ended, the Assembly Sergeant acted inappropriately and discourteously, and his actions have resulted in lost work time and stress. The incident occurred March 21 at approximately 3:10 p.m. I was ticketed (63784 PP) for violation of 21113 (A), "unlawful parking a bicycle on state property." On investigation of the law on this matter, I am convinced that the ticket was issued in error. The incident incites investigation into the antecedent actions that permitted and organized the issuance of the ticket. My letter asks that you investigate the administrative decisions leading to the ticket and also to set in motion actions to provide adequate bicycle parking at this location, and to sign areas where bicycle parking is prohibited.

While I was in the referenced meeting with Mr. Jones, a member of Assembly Sergeant's Office called the Highway Patrol and asked that I be given a ticket for parking my bicycle improperly at the LOB. This unidentified employee of Assembly Rules reportedly told CHP that I was a repeat offender in illegal bicycle parking. As I left LOB with Mr. Will Gonzalez at approximately 3:10 p.m., I noticed four men converging upon me. Two men approached from my left, a CHP officer in blue on a bike and a CHP officer in tan with a large bolt cutter. On my right were two gentlemen. One got my attention and gave me a piece of paper. I recognized him as wearing the uniform of a legislative sergeant. He informed me that I was parked illegally. The paper handed to me is a memo to Capitol Area Legislative Employees dated July 13, 2001. This Joint Rules memo says:

"The California Highway Patrol (CHP) has advised our office that employees are locking their bicycles to the handrail on the wheelchair ramp in front of the Legislative Office Building. This creates a safety hazard for disabled individuals who are attempting to enter/exit the building. It also obstructs the evacuation plan for the building."

The Assembly Officer then told me that I was a repeat offender and that I would be ticketed. Since I had never parked my bicycle at the building before, I explained to him that I was not a repeat offender. Nevertheless, he did not withdraw his accusation, and he went back into the building. He made no attempt to resolve our disagreement.

I was then confronted by a CHP officer (the one carrying a bolt cutter), who described me as a repeat offender and told me that I would be ticketed. I must say, he was disrespectful. The other CHP officer (Mr. Mann) asked me for identification, which I presented. He then began to write a ticket. I went back into the building to get my accuser back to the scene. I was directed to the Assembly Sergeant's office by the security officer on duty. Conversations followed but, despite an attempt by one of the Assembly Sergeants to withdraw the accusation, I was unable to stop the unjust ticket from being written. I was informed that I could fight it.

Gentlemen, this is ridiculous. What ever happened to fair warning? Since July 13, 2001 it has been your policy to ticket or impound bicycles that are found on the ramp. Yet there is no sign to warn visiting bicyclists that they are not to park on the ramp, and that they face immediate impoundment of their vehicles. State law requires you to sign areas where you regulate bicycle parking. (See attached VC 21113 (b) and Vehicle Code 21210.) Given the documented history that bicyclists are attracted to this site to park, the Assembly has been negligent in not posting signs at this location.

You should also be aware that the section of the Vehicle Code under which I was cited does not apply to bicycles. The CHP should not be writing tickets under this section for illegal bicycle parking. Please see the vehicle code sections appended to this letter. Moreover, I was not parked on state property. I was not parked on the ramp. My bicycle was parked on the City sidewalk, parallel to the ramp, on the street side, and used the steel bars of the handrail structure only to attach the bike lock. I carefully arranged my bicycle so that it would not be a safety hazard for any disabled individuals entering or exiting the building. I chose this option because no other safe bicycle parking was available at that location.

Clearly, Assembly staff and CHP have no basis for being verbally abusive to visiting bicyclists. It is they who have been negligent and acted illegally. Your staff has created a difficult situation, for me and potentially for others. How many others have been affected by this defective policy that the Joint Rules Committee is implementing? I recommend that you investigate the number of times tickets and impoundments have occurred at this site since July 13 to determine whether a pattern of abuse has developed. Legally there can be no tickets and impoundments until signs are posted.

Why has the Legislature not arranged for adequate bicycle parking at this location where, as the Joint Rules memo describes, there is a demand for bicycle parking? Please review the pictures which I have attached to this letter. The one bicycle parking spot pointed out by Assembly Sergeant as available (east of the N Street entrance) requires a chain and I do not lock my bike with a chain. This "bicycle parking facility" is non-functional and its design is out of date. Please refer to pictures and information appended to this letter regarding recommended bicycle parking design. This concrete block with a hole in it is not visible at first glance, and I did not see it. If I had seen it I would not have been able to use it to park my bicycle.

I am not a state employee and never received the notice about parking on the ramp. My office is located at 817 14th St, 100 and my home at 500 N St., 1403.

Gentlemen please respond in writing to advise me how you will redress this grievance. I have asked for several actions to be taken. If you review the law, the policy and the physical situation, it should be obvious that the actions taken against me yesterday were wrong, and that there are changes that must be made immediately.

Most importantly, please see that appropriate bicycle parking facilities are installed on N Street near the entrance to LOB and that "no bicycle parking on ramp" signs are installed immediately on the front of the building just west of the entrance. Frankly, I would suggest that the CHP budget may be the place to find the funds. Joint Rules might also want to take some responsibility for this mess. I stand ready to help you in anyway I can, but first I must go to court and fight an unfair ticket.

Thank you for your attention to this matter.

Sincerely,



Judith Lamare

cc:

Senator John Burton, President pro tempore, Chair of Senate Rules

Senator Deborah Ortiz

Assemblyman Darrell Steinberg and Susan McKee

David Jones

Will Gonzalez

Ed Cox, City of Sacramento

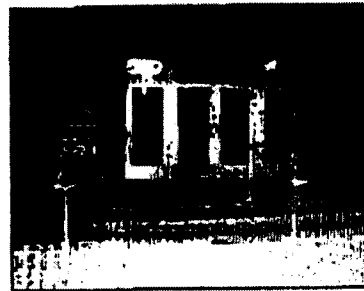
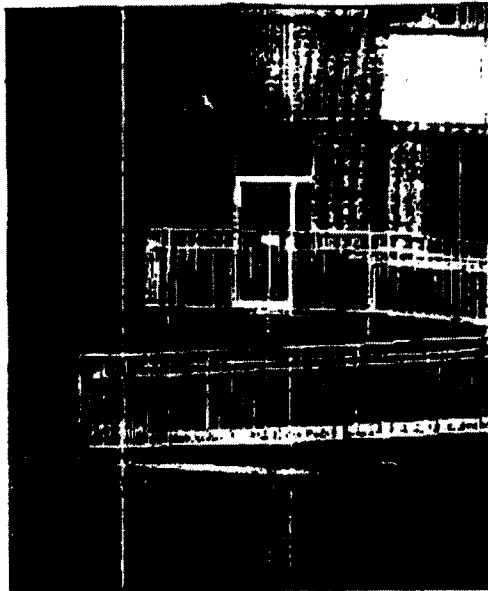
Walt Seifert, Sacramento Area Bicycle Advocates

Chris Morfas, Ca. Bicycle Coalition

Peter Christiansen, Sacramento Metropolitan Air Quality Management District

Sue Schooley, President, Association for Commuter Transportation

Page 3



Top Right: 1020 N Street, Legislative Office building entrance.

Top Left: West of the entrance, handicapped ramp. No "no bicycle parking sign."

Second right: east side of the entrance, showing concrete block designated by Assembly Sergeant as "bicycle parking."

Bottom left: view from entrance to handicapped ramp looking westward. Area to the right of the ramp is where bicycle was parked. It was not locked to the handrail of the ramp; it was locked to one of the supports for the ramp railing. Bike did not block access.

Photos demonstrate that ample room exists to install bicycle parking. See next page for examples on L Street, just north of the Capitol.



**Examples of bicycle parking provided on the sidewalk along L Street between 15th and Tenth Streets, on the north side of the Capitol.**

Note that four preferred bicycle parking designs are shown on <http://www.sacbike.org/sacbiking/parking/preferredracks.pdf>. They are the A Rack (shown above, bottom left), Spiral Design, Hitching Post and Core Style. The rack above, top left, is not a preferred design.

## **California Vehicle Code Relevant Sections**

### **Vehicle Code 670**

670. A "vehicle" is a device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.

### **Vehicle Code 231**

231. A bicycle is a device upon which any person may ride, propelled exclusively by human power through a belt, chain, or gears, and having one or more wheels. Persons riding bicycles are subject to the provisions of this code specified in Sections 21200 and 21200.5.

### **Vehicle Code Section 21113**

21113. (a) No person shall drive any vehicle or animal, nor shall any person stop, park, or leave standing any vehicle or animal, whether attended or unattended, upon the driveways, paths, parking facilities, or the grounds of any public school, state university, state college, unit of the state park system, county park, municipal airport, rapid transit district, transit development board, transit district, joint powers agency operating or managing a commuter rail system, or any property under the direct control of the legislative body of a municipality, or any state, county, or hospital district institution or building, or any educational institution exempted, in whole or in part, from taxation, or any harbor improvement district or harbor district formed pursuant to Part 2 (commencing with Section 5800) or Part 3 (commencing with Section 6000) of Division 8 of the Harbors and Navigation Code, a district organized pursuant to Part 5 (commencing with Section 27000) of Division 16 of the Streets and Highways Code, or state grounds served by the Department of the California Highway Patrol, or any property under the possession or control of a housing authority formed pursuant to Article 2 (commencing with Section 34240) of Part 2 of Division 24 of the Health and Safety Code, except with the permission of, and upon and subject to any condition or regulation which may be imposed by the legislative body of the municipality, or the governing board or officer of the public school, state university, state college, county park, municipal airport, rapid transit district, transit development board, transit district, joint powers agency operating or managing a commuter rail system, or state, county, or hospital district institution or building, or educational institution, or harbor

district, or a district organized pursuant to Part 3 (commencing with Section 27000) of Division 16 of the Streets and Highways Code, or housing authority, or the Director of Parks and Recreation regarding units of the state park system or the state agency with jurisdiction over the grounds served by the Department of the California Highway Patrol.

(b) Every governing board, legislative body, or officer shall erect or place appropriate signs giving notice of any special conditions or regulations that are imposed under this section and every board, legislative body, or officer shall also prepare and keep available at the principal administrative office of the board, legislative body, or officer, for examination by all interested persons, a written statement of all those special conditions and regulations adopted under this section.

(c) When any governing board, legislative body, or officer permits public traffic upon the driveways, paths, parking facilities, or grounds under their control then, except for those conditions imposed or regulations enacted by the governing board, legislative body, or officer applicable to the traffic, all the provisions of this code relating to traffic upon the highways shall be applicable to the traffic upon the driveways, paths, parking facilities, or grounds.

(d) With respect to the permitted use of vehicles or animals on property under the direct control of the legislative body of a municipality, no change in the use of vehicles or animals on the property, which had been permitted on January 1, 1976, shall be effective unless and until the legislative body, at a meeting open to the general public, determines that the use of vehicles or animals on the property should be prohibited or regulated.

(e) A transit development board may adopt ordinances, rules, or regulations to restrict, or specify the conditions for, the use of bicycles, motorized bicycles, skateboards, and roller skates on property under the control of, or any portion of property used by, the board.

(f) A public agency, including, but not limited to, the Regents of the University of California and the Trustees of the California State University, may adopt rules or regulations to restrict, or specify the conditions for, the use of bicycles, motorized bicycles, skateboards, and roller skates on public property under the jurisdiction of that agency.

**Vehicle Code 21210.**

21210. No person shall leave a bicycle lying on its side on any sidewalk, or shall park a bicycle on a sidewalk in any other position, so that there is not an adequate path for pedestrian traffic. Local authorities may, by ordinance or resolution, prohibit bicycle parking in designated areas of the public highway provided that appropriate signs are erected.





RECEIVED  
WASTE MANAGEMENT  
BRANCH

**CALIFORNIA CAPITOL HISTORIC PRESERVATION SOCIETY**

JUL 28 A 8:48

P.O. BOX 198755 • SACRAMENTO, CALIFORNIA 95818 • (916) 448-8357 • FAX (916) 492-2477 (49C-CCHPS)

July 28, 2003

Lynne Rodrian, Senior Environmental Planner  
Department of General Services, Real Estate Services Division  
Environmental Services Section, 3rd Floor  
707 Third Street, Suite 3-400  
PO Box 989052  
West Sacramento, CA 95798-9052

Dear Ms. Rodrian:

Despite receiving no notification, a representative of the California Capitol Historic Preservation Society attended the July 16th meeting of the *Notice of Preparation for the Revised Capitol Park Safety and Security Improvements Project*. We note that the group has made three security proposals:

- I. Alternative designs for a vehicular barrier around the Capitol building;
- II. Proposed construction of two permanent visitor pavilions at the North and South entrances to the Capitol annex; and
- III. Proposed loading dock expansion and underground receiving center for deliveries to be located either at the 12th Street and Capitol Street walkways or north or south of the Capitol annex.

The Society will comment on the completed EIR amendments when they are submitted to the public. We would be interested in evaluating the proposals based upon established historic preservation standards and the appropriate Capitol Commission statutes. We do wonder why we were not notified of this meeting but do expect to receive the completed EIR as an interested party who participated in the original barrier proposal. We would also urge that you invite the California Chapter of the AIA and the State Historic Building Safety Board to review and comment on the revised EIR.

I. Regarding the first proposal, we believe that DGS should consider a fourth alternative for the barrier project that was mentioned by other attendees — landscaping to protect the Capitol. Capitol Commission Chair Wayne Donaldson, FAIA, for example, recommended that more plants and trees and less material barriers would be effective to thwart a truck

**BOARD OF TRUSTEES**  
Hon. Burnett Miller, *Chairman*  
Audrey Thuruda, *Vice Chair*  
George Bayne  
Hon. Dennis Carpenter  
Raymond Girvagian, *FAIA*  
Alfred C. Harrison, Jr.  
Hon. Alan Sieroty  
Donald Stover  
Hon. George Zanovich

*Past Members*  
Hon. John Moss  
James McClatchy  
Nathaniel Colley, Esq.  
Herbert Caplan  
Carla Hills  
Larry Margolis  
*Honorary Chairman*  
Robert K. Puglia, *Presiding Justice*  
3rd Appellate District Court of Appeal

*Honorary Members*  
Edmund G. (Pat) Brown  
(Governor of California, 1959-1967)  
Ronald Reagan  
(Governor of California, 1967-1975)  
(President of the United States, 1981-1989)  
George Deukmejian  
(Governor of California, 1983-1991)  
Jesse M. Unruh

**Daniel Visnich**  
*Executive Secretary*

Christine Henderson  
*Curator*

John D. Lewis  
*Registrar*

Dept. of Gen. Svcs. RESD  
July 28, 2003  
Page 2

tearing across the greensward to the Capitol building just as well as a massive, heavy granite wall.

When told that a terrorist would ignore such a tree as the mad teamster did when driving up the Senate portico steps, he alluded to an expensive, Maginot-line defense. Mr. Vinnich, I understand, commented that an anti-tank gun could lob a shell through a window into the Assembly or Senate chamber, which drew a response that this issue was not being addressed at this meeting. I believe that his point, however, was why would a terrorist waste his time attempting to drive a truck into the Capitol building when it is far easier to create havoc with an anti-tank gun. During W.W.II the German invasion of France went around the Maginot Line, and likewise, a terrorist outfit would probably circumvent a costly and massive protection wall.

II. Protective Pavilions: We recommend that you also consider another alternative for relocating security devices outside the Capitol building and protecting school children and other visitors from weather conditions: an underground visitor receiving center connected to the basement of the Capitol.

III. Receiving Center: As our Society representative indicated at the meeting, you may want to consider the use of the Treasurer's Building for receiving deliveries since there is a tunnel connecting it to the historic Capitol. That tunnel could be expanded and renovated.

Sincerely,



BURNETT MILLER  
Chairman

# California Historic State Capitol Commission



MEMBERS  
MILFORD WAYNE DONALDSON, FAIA  
KATHLEEN O. GREEN  
SUNAN E. LASSELL  
ERIC NELSON

EX-OFFICIO MEMBERS  
WALTER GRAY  
STATE ARCHITECT  
DR. KEVIN STARR  
STATE LIBRARIAN  
DR. KNOX MELLON, SHPO  
OFFICE OF HISTORIC PRESERVATION

KORSEN R. BENOIT  
CURATOR & EXECUTIVE DIRECTOR  
RAYMOND GIRVICIAN, FAIA  
RETIRED CHIEF CARPENTER

1020 N STREET, SUITE 359, SACRAMENTO, CA 95814 (916) 445-1377 FAX (916) 324-6176

Lynne Rodrian, Senior Environmental Planner  
Department of General Services  
Real Estate Services Division  
Environmental Services Section, Third Floor  
707 Third Street, Suite 3-400, PO BOX 989052  
West Sacramento, CA 95798-9052

Subject: Capitol Park Safety & Security Improvements Charrette  
Comments

Dear Ms. Rodrian:

On behalf of the California Historic State Capitol Commission (CHSCC), we want to express our reservations regarding the design presented at the Public Design Workshop (Charrette) held on July 16, 2003 in the Legislative Office Building at 1020 N Street, Suite 100, Sacramento, CA. The CHSCC Executive Committee has not met to formally review the various options regarding this proposed project. Only two commissioners could attend, Milford Wayne Donaldson and Kathleen Green. Due to the impending deadline, however, we want to state our concerns formally.

We fully understand, especially following the September 11, 2001 event, the Department of General Services' need to implement security measures, as appropriate, at the State Capitol. The Commission recommended in 1998 during its review of the Capitol Park Safety and Security Improvements Project EIR the creation of the Master Plan prior to the installation of safety devices at the Capitol. Obviously, no Master Plan has been developed for the last five years. This is particularly important due to the historic importance of the Capitol building and its contextual setting within the Capitol grounds. Any new developments to the Capitol grounds should be prepared in the spirit of a Master Plan.

In addition, the Commission in January 28, 2002 in a letter to Honorable Dennis Cardoza again reinstated its concern over the proposed bollard design and lack of a Master Plan. There are several historical and sensitive alternatives to yet be pursued that were not presented in the Charrette.

The following comments are a brief overview of the design concepts as presented through a power point presentation on July 16, 2003. No written narratives, drawings or images were received.

The Capitol Park Safety and Security Improvements program includes three projects: (1) Perimeter Security, (2) Visitor Pavilions and (3) Receiving Center. The Perimeter Security Project was presented as three different concepts. The Visitor's Center project had one option and the Receiving Center project has three different locations, all underground. Since the Receiving Center will be placed underground and no visual impact will occur, the comments will only focus on the perimeter security and visitor pavilions.

# California Historic State Capitol Commission



MEMBERS  
MILFORD WAYNE DONALDSON, FAIA  
KATHLEEN D. GREEN  
SUSAN E. LASSILL  
ERIC NELSON

TRUSTEES  
WALTER GRAY  
WILL ARNOLD  
DR. KEVIN STARA  
STATE HISTORIC  
DR. ANOX MELLON, SHPO  
OFFICE OF HISTORIC PRESERVATION

KOREN E. BENNETT  
CIVIL ENGINEER  
RAYMOND GIVVICIAN, FAIA  
HISTORIC CHAIR EMERITUS

1020 N STREET, SUITE 255, SACRAMENTO, CA 95814 (916) 443-1577 FAX (916) 324-6176

## 1. Perimeter Security Project

All three options included permanent bollards, hydraulic bollards, arresting vehicular cables and light fixtures on either a concrete base or combined with a concrete planter. Option one contained granite pilasters with low walls, and "Sierra White" granite walls, Option three also contained "Sierra White" granite walls set inside the pedestrian walkways.

None of the concepts address the long term (Master Plan) effect or efficiency of these projects on the Capitol grounds. As we all learned from the truck episode a few years back, the driver attempted to miss a very small tree as he drove his truck towards the Capitol. The natural features of the park, including but not limited to trees, plantings, and memorials, already serve as a vehicular barrier to many points of access. On a near-term basis, selectively placed posts and additional landscaping features could be added to augment security in the locations currently served by bollards and walls. This would be significantly less expensive than the options now under consideration. For the long-term, the much-delayed Capitol Park Master Plan must be undertaken and study the full range of permanent alternatives that would provide necessary protection while reinforcing the historic character of this icon of California's heritage.

Also missing from consideration was the historic landscape development of the Capitol grounds and how those earlier designs might be reconstructed meet the security concerns. Images from the past development, all within the period of significance, include terraced lawn and planting areas, stone piers and ornamental iron fencing, regimented landscaping and various other historical features that could act as deterrents.

In addition, the concepts are rather "institutional" in their approach, eg. Bollards are bollards, granite walls are linear and long, all designed strictly as vehicular deterrents. Should these elements be used there needs to be a higher level of aesthetically-focused design to present these elements as an art form, sculpture or pedestrian friendly landscape design elements. There is no reason why bollards need to be in a straight line, three-feet on center as you would see around a shopping center. They could resemble free-standing sculptural features, grouped or staggered similar to sculptures created by Carl Milles at The National Memorial Park.

The current solutions need historical foundation, greater analysis to using existing landscape features, and more design sensitivity to compliment the Capitol grounds. In accordance with *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes*, the following items regarding the Capitol grounds need to be completed and presented by a qualified historic landscape architect prior to the creation of a design solution for the Capitol grounds:

1. Relative significance in history.
2. Integrity and existing physical condition.
3. Change and continuity of the grounds.
4. Geographical context.
5. Current and anticipated use of the grounds.
6. Architectural resources such as memorials, plaques, and important views of Capitol.

# California Historic State Capitol Commission



MEMBERS  
MILFORD WAYNE DONALDSON, FAIA  
KATHLEEN D. GREEN  
SUSAN E. LASSELL  
ERIC NELSON

EX-OFFICIO MEMBERS  
WALTER GRAY  
STATE ARCHIVIST  
DR. KEVIN STARR  
STATE HISTORIAN  
DR. KNOX MELLON, SHPO  
DIRECTOR OF HISTORIC PRESERVATION

KOREN R. BENOIT  
CHAIRMAN & EXECUTIVE DIRECTOR  
RAYMOND CIRVIGIAN, FAIA  
DEPUTY CHAIRMAN

1020 N STREET, SUITE 255, SACRAMENTO, CA 95814 (916) 445-1377 FAX (916) 324-6176

## 7. Interpretation treatment element due to lack of a Master Plan.

### New Visitor Pavilion

The design concepts as presented in the power point are valid. The design as developed and presented in the Charrette, however, fails to follow *The Secretary of the Interior's Standards for the Treatment of Historic Properties*. The design concept is presented as *Preservation*, however, the *Standards for Rehabilitation* should be used since the pavilions are considered additions to the State Capitol. The Capitol building and the Annex along with the Capitol grounds are considered as one resource as listed on the National Register for Historic Places.

The programmatic needs appear to be in conflict with the initial design concepts in regards to form, massing, contextual setting and size of the pavilions. The Capitol has captured the greatest of public interest throughout the state and as such, where the public interest in preservation is involved, that hierarchy of additions should protect the State Capitol.

The pavilions do not follow the *Standards for Rehabilitation*, especially number nine:

*New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*

The glass pavilions are not light and airy, low in height or located away from the Capitol (concepts), but are very large, modern glass buildings, appearing to be over 15 feet tall and around 1800 to 2000 square feet in size. The pavilions are very large, dominating, and intrusive structures into the Capitol grounds and are not compatible with the historic materials, features, size, scale and proportion, and massing in order to protect the integrity of the Capitol building and grounds.

The programmatic needs should be redefined since other entries to the Capitol building will continue to allow visitors to enter through the historic doors and into the rotunda. A terrorist would know which door to enter within seconds. The decision to create such large pavilions for keeping the visitors inside until screened makes no sense. Queuing lines serving 85 visitors can take place outside or under a protected canopy. Should a pavilion be required, it should be greatly reduced in size and its design be in agreement with *The Standards*.

Again, we appreciate the presentation of these concepts at the Charrette for improving the safety of both visitors and staff of the Capitol. Since the California Historic Capitol Commission must be directly contacted regarding improvements to the Capitol we welcome a presentation for our consideration and comment.

cc: Koren R. Benoit  
CHSCC Commissioners

# California Historic State Capitol Commission



MEMBERS  
MILFORD WAYNE DONALDSON, FAIA  
KATHLEEN D. GREEN  
SUSAN E. LASSELL  
ERIC NELSON

EX-OFFICIO MEMBERS  
WALTER GRAY  
STATE ARCHIVIST  
DR. KEVIN STARR  
STATE LIBRARIAN  
DR. KNOX MELLON, SHPO  
OFFICE OF HISTORIC PRESERVATION

KOREN R. BENOIT  
CURATOR & EXECUTIVE DIRECTOR  
RAYMOND GIRVIGIAN, FAIA  
RETIRED CHAIR EMERITUS

1020 N STREET, SUITE 255, SACRAMENTO, CA 95814 (916) 445-1377 FAX (916) 324-6176

August 4, 2003

Lynne Rodrian, Senior Environmental Planner  
Department of General Services  
Real Estate Services Division  
Environmental Services Section, Third Floor  
707 Third Street, Suite 3-400, PO BOX 98905  
West Sacramento, CA 95798-9052

Subject: Capitol Park Safety & Security Improvements  
Comments

Dear Ms. Rodrian:

On behalf of the California Historic State Capitol Commission, we want to express our reservations regarding the design presented at the Public Design Workshop (Charrette) held on July 16, 2003 in the Legislative Office Building at 1020 N Street, Suite 100, Sacramento, CA. The Commission's Executive Committee has not met to formally review the various options regarding this proposed project. Only two Commissioners could attend, Milford Wayne Donaldson and Kathleen Green. Due to the impending deadline, however, we want to state our concerns formally.

We fully understand, especially following the September 11, 2001 event, the Department of General Services' need to implement security measures, as appropriate, at the State Capitol. During its review of the Capitol Park Safety and Security Improvements Project EIR in 1998, the Commission recommended the installation of safety devices at the Capitol. Obviously, no Master Plan has been developed for the last five years. This is particularly important due to the historic importance of the Capitol and its contextual setting within the Capitol grounds. Any new developments to the Capitol grounds should be prepared in the spirit of a Master Plan.

In addition, the Commission, in a January 28, 2002 letter to the Honorable Dennis Cardoza, again reinstated its concern over the proposed bollard design and lack of a Master Plan. There are several historical and sensitive alternatives to yet be pursued that were not presented in the Charrette.

The following comments are a brief overview of the Design concepts as presented through the power point presentation on July 16, 2003. No written narratives, drawings or images were received.

The Capitol Park Safety and Security Improvements program includes these projects: (1) Perimeter Security, (2) Visitor Pavilions and (3) Receiving Center. The Perimeter Security Project was presented as three different concepts. The Visitor Pavilions had one option and the Receiving Center had three different locations, all underground. Since the Receiving Center will be placed underground and no visual impact will occur, the comments in this letter will only focus on the perimeter security and visitor pavilions.

**1. Perimeter Security**

All three options included permanent bollards, hydraulic bollards, arresting vehicular cables and light fixtures on either a concrete base or combined with a concrete planter. Option one contained granite pilasters with low walls, and Sierra White granite walls. Option three also contained Sierra White granite walls set inside the pedestrian walkways.

None of the concepts address the long term (Master Plan) effect or efficiency of these projects on the Capitol grounds. As we all learned from the truck episode a few years back, the driver attempted to miss a very small tree as his truck sped towards the Capitol. The natural features of the park, including but not limited to trees, plantings, and memorials, already serve as a vehicular barrier to many points of access. On a near-term basis, selectively placed posts and additional landscaping features could be added to augment security in the locations currently served by planter containers. This would be significantly less expensive than the options now under consideration. For the long-term, the much-delayed Capitol Park Master Plan must be undertaken to study the full range of permanent alternatives that would provide necessary protection while reinforcing the historic character of this icon of California's heritage.

Also missing from consideration was the historic landscape development of the Capitol grounds and how those earlier designs might be reconstructed to meet security concerns. Images from the past development, all within the period of significance, include terraced lawn and planting areas, stone piers and ornamental iron fencing, regimented landscaping and various other historical features that could act as deterrents.

In addition, all of the concepts are rather institutional in their approach, e.g. bollards appear to be bollards, granite walls are linear and long, and all are designed strictly as vehicular deterrents. Should these elements be used, there needs to be a higher level of aesthetically-focused design to present these elements as an art form, sculpture or pedestrian-friendly

landscape design elements. There is no reason why bollards need to be in a straight line, three - feet on center, etc. They could resemble free-standing sculptural features, grouped or staggered, similar to sculptures created by Carl Milles at The National Memorial Park.

The current solutions need historical foundation, greater analysis to using existing landscape features and more design sensitivity to compliment the Capitol grounds. In accordance with *The Secretary of the Interior's Standards for the Treatment of Historic Properties with guidelines for the Treatment of Cultural landscapes*, the following items need to be completed and presented by a qualified historic landscape architect prior to the creation of a design solution for Capitol Park:

1. Relative significance in History
2. Integrity and existing physical condition
3. Change and continuity
4. Geographical context
5. Current and anticipated use of the Grounds
6. Architectural Resources such as Memorials, Plaques, Views of Capitol
7. Interpretation treatment due to lack of a Master Plan

## 2. New Visitor Pavilions

The design concepts as presented in the power point are valid. The design as developed and presented in the Charrette, however, fails to follow *The Secretary of the Interior's Standards for the Treatment of Historic Properties*. The design concept is presented as preservation; however, the standards guidelines for rehabilitation should be used since the pavilions are considered an addition to an historic building. The Capitol Building and the Annex, along with the Capitol grounds, are considered as one resource as listed on the National Register for Historic Places.

The programmatic needs appear to be in conflict with the initial design concepts in regards to form, massing, contextual setting and size of the pavilions. The Capitol has captured the greatest of public interest throughout the State and as such, where the public interest in preservation is involved, that hierarchy of additions should reflect the State Capitol, not the pavilions. The combination of the current designed glass pavilions with the State Capitol does not adequately honor this protected public asset.

The pavilions do not follow the *Standards for Rehabilitation*, especially number nine: *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and it's environment.*



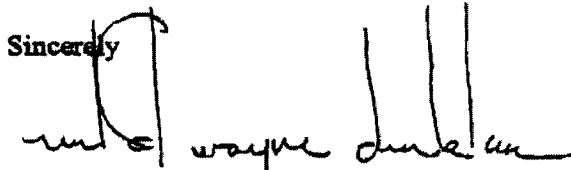
*Capitol Park Safety & Security Improvements*  
*August 4, 2003*  
*Page 4*

The glass pavilions are not light and airy, low in height or located away from the Capitol (initial design concept), but are very large, modern, glass buildings, appearing to be over 15 feet tall (with HVAC enclosures on top) and around 1800 to 2000 square feet in size. This is a very large, dominating and intrusive structure onto the Capitol grounds and is not compatible with the historic materials, feature, size, scale and proportion and massing in order to protect the integrity of the Capitol Building and park.

The programmatic needs should be redefined since other entries to the Capitol Building will continue to allow visitors to enter through the historic doors and into the rotunda as currently exists. The decision to create such large pavilions for keeping visitors outside until screened makes no sense. A terrorist would know which door to enter within seconds. Queuing lines serving 85 visitors can take place outside or under a protected canopy. Should a pavilion be required, it should be greatly reduced in size and its design be in agreement with *The Standards*.

Again, we appreciate presentation of these concepts at the Charette for improving the safety of both visitors and staff at the Capitol. Since the Commission's statute requires it be contacted directly regarding improvements to the Capitol, we would most welcome a future presentation for our full consideration and comment.

Sincerely



M. Wayne Donaldson  
Acting Chair

Cc: Greg Schmidt  
Jon Waldie  
Commission Members

---

---

***Appendix C***

***Carey & Company, Inc. Historic Report***

---

---



CAREY & CO. INC.  
ARCHITECTURE

## **STATE CAPITOL & PARK SECURITY IMPROVEMENT PROJECT Sacramento, California**

### **REVIEW FOR COMPLIANCE WITH THE SECRETARY OF THE INTERIOR'S STANDARDS**

**January 2004**

#### **INTRODUCTION**

The California State Capitol in Sacramento, constructed between 1860 and 1874, is an important historic resource that contributes to the history and diverse architectural styles of Sacramento, the State of California, and the United States. The Capitol and Capitol Park between L and N Streets and 10th and 16th Streets, were listed on the National Register of Historic Places in 1973. By virtue of their listing on the National Register, these resources are also listed in the California Register of Historical Resources.

At the request of EIP Associates, Carey & Co. has undertaken a review of the proposed security improvement project for the State Capitol in Sacramento, California. The intention of this review is to determine if the proposed project complies with the *Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings* (The Standards<sup>1</sup>) for environmental review purposes. Generally, a project that follows the *Standards*, shall be considered as mitigated to a level of less than a significant impact on the historic resource.<sup>2</sup>

For purposes of clarity, the State Capitol Building as a whole is referred to as the *Capitol*, the State Capitol Park as the *Park*, and where appropriate, the Capitol Annex Building is referred to as the *Annex*.

#### **METHODOLOGY**

Before preparing this compliance review, Carey & Co. Inc. visited the property on August 10, 2003.

---

<sup>1</sup> Kay D. Weeks and Anne E. Grimmer, *The Secretary of the Interior's Standards for the Treatment of Historic Properties: with guidelines for preserving, rehabilitating, restoring and reconstructing historic buildings* (Washington, D.C.: Government Printing Office, 1995): 62.

<sup>2</sup> CEQA Guidelines Section 15064.5 (a)(2)(3)

Both the exterior of the building and the grounds were visually inspected. Existing background material was also consulted, including the previous EIR prepared for a similar project, certified in 1997.

The following drawings by HDR Architecture, Inc. were reviewed by Carey & Co. Inc. to determine the extent of project compliance:

- “Visitor Pavilion Screening Concept” Option #1, 8-28-03
- “Visitor Pavilion Screening Concept Elevations” Option #1, 8-28-03
- “Enlarged Alternative 1 Thru Alternative 4,” Sheet A-401, 11-11-03
- “Overall Site Plan Electronic Security Option 1” Sheet A-S101, 11-11-03
- “A – Bench Seating (East Side of Capitol Building – Park Area)” 11-11-03
- “B – Bench Seating (Along 10<sup>th</sup> Street)” 11-11-03
- “C – Bench Seating (Along L Street & N Street)” 11-11-03
- “D – Hydraulic Bollards @ Raised Planter (6 Locations)” 11-11-03
- “Vehicle Arresting Cable” 11-11-03

## SUMMARY

It is Carey & Co.'s professional opinion that the proposed security improvement project for the Capitol and Park would be generally compliant with the *Secretary of the Interior's Standards for Rehabilitation*. The project was found to be appropriate in its treatment of the property by retaining and preserving historically significant character-defining features, and would be generally compliant with all of the applicable *Standards*. In some cases, recommendations about the avoidance of historically significant landscape features have been incorporated into the discussion.

## PROJECT DESCRIPTION

The project consists of two phases: the first phase includes establishing a protective vehicle barrier in the Park; the second phase includes constructing two structures (visitor pavilions) at the north and south entrances to the Capitol. Both phases of the project are described below.

Park Security Improvements. The vehicle barrier aspect of the first phase of the proposed project would follow the historic perimeter of the Park along 10th, L and N Streets, and the existing sidewalk adjacent to the east entrance to the Capitol. At present, landscape elements, including a vehicle arresting cable, bollards, planters, and benches are proposed to protect the Capitol, visitors and employees from any vehicles attempting to drive up onto the Park. The vehicle arresting cable would be located in the planter area along the outside perimeter of the sidewalk on State grounds that surround the north, south and west sides of the Capitol. The vehicle arresting cables would not be located in the planter area adjacent to the City sidewalk that includes the palm trees that surround the Capitol and Park. The vehicle arresting cables would be located within the mature shrubs and plants that surround the Capitol. The cables would be suspended 10 feet apart between four-inch diameter concrete filled posts. The posts would be three-foot, two-inches in height. Where the sidewalks bisect the site, the cables would

be connected to reinforced concrete planters the same height as the posts. The planters would be a dark gray to match the granite base of the Capitol. The planters would also include a "knox box" for emergency service and the hydraulic bollard activation equipment.

A mix of permanent bollards and hydraulically controlled bollards would be located throughout the site. All of the sidewalks leading to the Capitol would include either three or four hydraulic bollards. The bollards would be four feet in height, one-foot in diameter and would be painted black to match the existing light fixtures. The bollards would permit easy pedestrian access and could be lowered in the event of an emergency. Permanent bollards would also be placed in the planter area, adjacent to the vehicle arresting cable throughout the site to provide extra protection.

Raised planters would be located along the sidewalk leading to the west entrance to the Capitol as well as along the sidewalks leading to the north and south entrances. The raised planters would include a 30-inch high concrete base in a dark gray color to match the base of the Capitol, and be surrounded by low shrubs. Benches would be provided in two locations along 10th Street and in one location along L Street and N Street as well as in the park area along the east side of the Capitol. A total of two benches would be provided in each location. The benches would be five feet long and three feet high and would be located with permanent bollards placed behind them.

Visitor Screening Pavilions. The second phase of the project includes the construction of two visitor pavilions at the north and south entrances to the Capitol. The pavilions would provide a structure where people can wait protected from the elements for security screening prior to entering the Capitol. The structures would be located at the north and south entrances of the Capitol where the 1870s Capitol and 1950s Annex connect, and physically attached to the Annex. The pavilions would be joined to the Capitol via a "connector" structure that could be removed without damaging the building, and so the pavilions appear as separate structures from the Capitol.

The structures have been designed to accommodate queuing space for approximately 85 people at one time as well as the security screening equipment. The pavilions are designed with glazing on all three sides with a low granite base that would tie into the existing dark granite base of the Capitol. The windows would be clear glass with a low E glaze set in thin aluminum mullions. The pavilions would be approximately 15 feet high, 53 feet long, and 36 feet wide. The raised, hip-style roof would be clad in a copper-like metal to match the Capitol dome. The top of the roof would be flat and could accommodate the heating and cooling mechanical equipment, which would be shielded from views above, or the heating and cooling mechanical equipment would be located outside of the pavilions in an adjacent planter area. Low planter areas currently exist adjacent to the north and south entrances to the Capitol. The pavilions would be designed to incorporate these existing low planter walls into the pavilions' bases.

The pavilion structures, at both the north and south entrances, would be physically separated from the Capitol by approximately 10 feet with an enclosed "connector" structure, set back about three feet from the edge of each pavilion. This connector would have a flat roof of a clear material so that the decorative grille work above the Capitol entrance would be visible above. The physical connection would include a caulked, glazed joint that could be removed without damaging the surface of the existing building.

## STANDARD-SPECIFIC COMPLIANCE REVIEW

The Standards provide guidance to professionals involved with historic building projects. They recommend considering the property's relative importance in history, physical condition, proposed use, and relevant mandated code requirements when choosing among the four types of treatments: preservation, rehabilitation, restoration, and reconstruction. The Secretary of the Interior defines **rehabilitation** as a project that alters or adds to a historic building to meet continuing or new uses while retaining the building's historic character.<sup>3</sup> The Standards can be applied to both the exterior and interior of historic buildings.

The Standards are provided below in their entirety. Specific Carey & Co. comments, conclusions, and recommendations are stated after each Standard.

### **1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.**

*Comments:* The Capitol would continue to be used as it was historically with the visitor pavilion additions and the Park security improvements. The property would continue to be publicly accessible for state governmental purposes. The proposed project would require minimal changes to the property's character-defining features including, but not limited to, the historic landscape features of the Park and the distinctive materials, features, and spaces of the Capitol. Spatial relationships between the building and the grounds would be minimally altered, as the primary northern and southern entrances, and access to them, would remain in their same general position.

*Conclusion:* Compliant with Standard #1.

### **2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.**

*Comments:* The proposed project would generally retain and preserve the overall historic character of the Capitol and Park by avoiding the property's character-defining features. The project has been designed to avoid heritage trees<sup>4</sup> and memorials throughout the Park (see also recommendations under Standard #9). Some trees and other vegetation may have to be removed to accommodate the Park

---

<sup>3</sup> Weeks and Grimmer, 2.

<sup>4</sup> No trees in the Capitol Park have been formally designated as "Heritage Trees," as no formal landscape survey of the Park has been completed (Vito Sgromo, State Capitol Museum Curator, Dec. 12, 2003). For purposes of this report, however, "heritage trees" are those trees that are at least 50 years old and have commemorative value, are outstanding botanical specimens, display unique traits or serve a particular aesthetic function in the landscape. In addition, the City of Sacramento's Heritage Tree Ordinance (Title 12.64 of the Sacramento City Code) defines heritage trees as any tree of any species with a trunk circumference of 100 inches or greater, or any native *Quercus* species, *Aesculus California* or *Platanus Racemosa*, having a circumference of 36 inches or greater.

security improvements, as much of the construction/trenching would occur below ground. However, existing landscaping lost due to construction would be replaced with new, compatible landscaping to obscure the vehicle arresting cables and raised concrete planters. The planters would be visible new elements in the Park, but would be relatively low-scale objects (30" high) softened by new perimeter landscaping, and would not compete visually with the overall character of the Capitol or Park setting. The reinforced decorative bollards would also be new and visible objects in the Park, but would be relatively low-scale objects (30" high), of a classical design (base, capital, and shaft), and painted black to match the existing light fixtures, while clearly of modern origin. The new stainless steel benches would also reflect a modern interpretation of traditional park bench design. The existing vehicular and pedestrian Park entrances would be maintained, with new hydraulic bollards embedded in the existing sidewalks.

The proposed visitor pavilions would generally avoid the removal of distinctive materials and features of the Capitol, and would attach "lightly" to the Annex façade, such that they could be removed in the future without damaging the building. The new northern and southern entrances would remain on-axis with the existing entrance locations, although extended deeper into the Park, maintaining this important spatial relationship between the building and the grounds. The new pavilions would be new and visible additions to the Capitol, but would not visually compete with its Classical Revival grandeur due to their relatively small size, low-scale design, and generous use of transparent glazing. Consistent with the *Standards for Rehabilitation*, the new additions would be of limited size and scale in relationship to the historic building, and placed on non-character defining elevations (i.e. away from the historic north, south, and west porticos). Some mature trees and other landscaping may have to be removed to accommodate the pavilions; however, these planted areas are also relatively small in comparison the larger Park overall. It does not appear that any heritage trees or other significant landscape features would be lost to accommodate these pavilions.

*Conclusion:* Compliant with Standard #2.

**3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.**

*Comments:* The proposed project would not create a false sense of historical development. No conjectural features or elements from other historic properties would be used. For example, the Park security improvements would clearly be recognized as 21<sup>st</sup> century creations and would not falsely recreate previous fencing designs which had encircled the Park from 1883 to 1952. The Park landscape design has undergone numerous revisions in its 130-plus years of existence, the last and most significant of which occurred in the 1950s, when the Park's terraced lawns and fencing were removed. The proposed project could be seen as another layer of change to a landscape setting that has evolved to accommodate various use requirements of the Capitol.

Similarly, the visitor pavilions would be recognized as new, compatible additions to the Capitol while avoiding conjectural features or elements from other historic properties that could create a false sense of historical development.

*Conclusion:* Compliant with Standard #3.

**4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.**

*Comments:* The proposed project would minimally alter landscape elements and building additions which date to the 1950s, and are currently recognized as historically-significant properties. The proposed project would generally maintain and preserve the Annex, which has acquired historic significance in the last 50 years.

*Conclusion:* Compliant with Standard #4

**5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.**

*Comments:* The proposed project would preserve the Park's distinctive elements which characterize the property by generally avoiding them. For example, the Park security improvements have been designed to avoid many if not all of the Park's heritage trees, memorials, large panels of lawn, and formal planting beds which characterize this historic property.

Similarly, the proposed project would preserve the Capitol's distinctive materials, features, finishes, and construction techniques by generally avoiding them. For example, the granite base on the Annex would be partially obscured at the visitor pavilions' attachment points, but would not be damaged or destroyed by it. The new pavilions would attach lightly to the Annex with a caulked and glazed connector structure, and would not require removal of this distinctive building material. The decorative grills located above the existing entrances to the Annex would remain in place, and would be visible through the connecting structure's glazed roof.

*Conclusion:* Compliant with Standard #5.

**6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.**

*Comments:* Neither the Park nor the Capitol appear to exhibit deteriorated historic features that would be repaired or replaced by the proposed project.

*Conclusion:* Not Applicable

**7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.**



*Comments:* The proposed project does not intend to use chemical or physical treatments that would cause damage to historic materials.

*Conclusion:* Not Applicable

**8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.**

*Comments:* There are no known archaeological sites within the proposed construction boundaries of the project. Given the previously disturbed nature of the soil beneath and around the Capitol, it is unlikely that intact archaeological resources exist. However, as the area has not been surveyed by an archeologist, such resources may be encountered anywhere in the construction zone. If encountered during construction, standard mitigation measures for the protection of archaeological resources would be employed as required by California law, including stopping work until a qualified archaeologist can assess the find and prepare mitigation measures to protect it.

*Conclusion:* Compliant with Standard #8.

**9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.**

*Comments:* The Park security improvements would be a new addition that would not destroy the Park's historic landscape features, including its formal, axial design, existing entrance paths and walkways, lawn panels, major planting areas, memorials, or heritage trees (see recommendation below). The majority of the Park improvements would be relegated to the perimeter of the Park, within the existing planting strip between the City sidewalk and the Park sidewalk, maintaining the large interior expanses of lawn, heritage trees, and planting areas closer to the Capitol. Lawn areas or other landscaping in the vicinity of the construction zone would be replaced with compatible new landscaping, including shrubs that would obscure the vehicle arresting barriers and concrete planters. The project would generally avoid the Civil War Memorial Grove to the east of the Capitol. The reinforced and fixed decorative bollards, as well as the moveable hydraulic bollards, would be relatively low-scale objects (about 30" tall), of a classical design (base, capital, and shaft) while clearly of modern origin. The new stainless steel benches would also reflect a modern interpretation of traditional park bench design. The reinforced concrete planters, to be located at the 11<sup>th</sup> Street and Capitol Mall entrances to the Park, would be relatively low-scale objects (about 30" tall) surrounded by landscaping that would protect the integrity of the Park and Capitol. As existing vehicular and pedestrian entrances to the Park would remain in their current locations, the security improvements would maintain the spatial relationships between the Capitol, the Park, and the City streets and sidewalks beyond.

The new visitor screening pavilions, to be added to the existing northern and southern entrances of the Capitol, would not destroy historic materials or features, such as the granite base or decorative grilles,

nor would they remove substantial amounts of existing landscaping or heritage trees in the Park. The nearly identical and symmetrical pavilions would be clearly new additions to the Capitol and Park, yet compatible with the historic materials and features found at the Capitol. New materials, such as the granite-clad base and columns of the pavilions would be compatible with the gray-granite base found throughout the first two stories of the Capitol. The metal "copper" seam roof materials would be compatible with the copper-clad dome of the Capitol, while the hip roof shape and decorative cornice line is a traditional roof form found in Classical Revival architecture. The new additions would be clearly differentiated from the historic Capitol through the use of nearly continuous glazing, thin aluminum window mullions, and all-glass entrance doors, intended to make the pavilions appear as transparent as possible. Given the pavilion's relatively low-scale, 15-foot height, they would not visually compete with the 220-foot tall Capitol. The new additions would be of limited size and scale in relationship to the historic building, and placed on non-character defining elevations (i.e. away from the historic north, south, and west porticos), thereby protecting the integrity of the property and its environment. When viewed from the Park facing the west entrance of the Capitol, portions of the pavilions would be visible projecting out beyond the north and south porticos, but would not substantially detract from the Capitol's overall visual presence.

The new pavilions would be separated from the Capitol by a "connector" structure about 10 feet long, set back from the edges of the pavilions by about three feet. This design feature would articulate the pavilions as separate from the Capitol, and would express the corners of the pavilion structures so they do not appear to be running directly into the building. The connector would have a flat roof of glazed materials allowing visitors to see the decorative grilles above the entries. All mechanical and electrical systems connections from the Capitol to the pavilions would occur below grade, or located outside of the pavilions in an adjacent planter area. In an effort to minimize the physical connection between the "connector" structure and the Annex, the joint between them would be caulked and glazed.

*Recommendations:* While the Park security improvement have been designed to avoid heritage trees and memorials in the Park, these elements have never been formally surveyed and inventoried. Because the exact location of these important landscape features are unknown, a few heritage trees or memorials may be in the path of the project, or close enough to be affected by it. In the absence of a heritage tree/memorial survey of the Park, construction monitoring should occur to avoid these important landscape features. If the proposed project would directly or indirectly affect heritage trees or memorials, the project should be redesigned to avoid them. If relocation of the barrier is determined infeasible in meeting the project's security objectives, affected heritage trees and/or memorials should be relocated to a suitable location in the Park to mitigate their potential loss or damage.

*Conclusion:* Compliant with Standard #9, with recommendations.

**10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.**

*Comments:* New construction related to the Park security improvements could be removed in the

future in a manner that retains the essential form and integrity of the Park, as the proposed new construction would generally avoid those historic landscape elements which characterize the Park.

As described above, the pavilions would be physically connected to the Annex with a caulked glazed joint to minimize the connection. In this way, the pavilions could be removed in the future without damaging the granite wall surfaces of the Annex or decorative grills.

*Conclusion:* Compliant with Standard #10.

## CONCLUSION

It is Carey & Co.'s professional opinion that the proposed security improvement project for the Capitol and Park would be generally compliant with the *Secretary of the Interior's Standards for Rehabilitation*. The project was found to be appropriate in its treatment of the property by retaining and preserving historically significant character-defining features, and would be generally compliant with all of the applicable *Standards*. In some cases, recommendations about the avoidance of historically significant landscape features have been incorporated into the discussion.